

URBAN/MUNICIPAL
CA4 ONHBL A05
M21
1993-

MINUTES OF THE
HAMILTON CITY COUNCIL

AUGUST 31, 1993

URBAN/MUNICIPAL
CAL ON HBL AOS
M21
1993

Minutes of Hamilton City Council
1993 August 31
7:30 o'clock p.m.
Council Chambers, City Hall

The Council met:

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson,
Eisenberger, Agostino, Charters, Jackson, Anderson, Ross, D'Amico.

Absent: Alderman H. Merling - civic business

Mayor R. M. Morrow called the meeting to order.

* * * * *

The National Anthem was sung by Cory Steenkist.

* * * * *

Father Mike Myroniuk, Holy Family Roman Catholic Church led Council in Prayer.

* * * * *

Mayor R. M. Morrow presented a Certificate of Recognition to Shelagh Freedman.

Mayor R. M. Morrow presented a Certificate of Retirement to Thomas Coady.

* * * * *

The minutes of the Regular meeting of 1993 July 30 and the Special meetings of 1993 July 30 and August 9 were adopted as circulated.

* * * * *

CORRESPONDENCE

1. Letter dated 1993 August 26 from Reverend David Shepherd, Bethel Gospel Tabernacle requesting the changing of the celebration of Halloween from Sunday, October 31, 1993 to Saturday, October 30, 1993.

Recommendation: Referred to the Finance and Administration Committee.

2. Application dated 1993 July 23 from the Hamilton-Wentworth Roman Catholic Separate School Board, Hamilton, Ontario for a change in zoning from "J" (Light and Limited Heavy Industry, etc.) District, modified to "DE-3" (Multiple Dwellings) District modified for lands located at No. 687 King Street East, Hamilton, Ontario.

Recommendation: Received.

3. Application dated 1993 August 4 from Mr. Jorge Mota, Hamilton, Ontario for a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations for property located at No. 1042 Barton Street East, Hamilton, Ontario.

Recommendation: Received.

4. Application dated 1993 August 5 from Benemar Construction Inc. and the City of Hamilton for a change in zoning from "RT-20" (Townhouse-Maisonette) District modified to "AA" (Agricultural) District for Block "1" and from "AA" (Agricultural) District modified to "RT-20" (Townhouse-Maisonette) District for Block "2", for lands located east of Upper Wentworth Street and north of Vineberg Drive, Hamilton, Ontario.

Recommendation: Received.

5. Application dated 1993 August 16 from Investland Corporation Limited, Hamilton, Ontario for an amendment to the Official Plan Amendment to establish a "Special Policy Area" to permit a retail warehouse within the "industrial" designation, and for modifications to the established "JJ" (Restricted Light Industrial) District regulations (Block "1") and to the "KK" (Restricted Heavy Industrial) District regulations (Block "2") for property located at No. 8 Burford Road.

Recommendation: Received.

6. Application dated 1993 August 25 from Mike Ilich, Stoney Creek for a change in zoning from "DE" (Low Density Multiple Dwellings) District to "H" (Community Shopping and Commercial, etc.) District for property located at No. 280 Weir Street North, Hamilton, Ontario.

Recommendation: Received.

7. Letter dated 1993 July 30 from S. G. Hollowell, Acting City Clerk respecting objections to By-law No. 93-143 respecting property at 29 Severn Street, Hamilton, Ontario. (previously distributed).

Recommendation: Received.

8. Letter dated 1993 August 26 from S. G. Hollowell, Acting City Clerk respecting objections to By-law No. 93-168 respecting property at 260-280 King Street East, Hamilton, Ontario.

Recommendation: Received.

9. Letter dated 1993 August 26 from S. G. Hollowell, Acting City Clerk respecting objections to By-law No. 93-163 respecting property south of Mud Street and West of Upper Mount Albion Road, Hamilton, Ontario.

Recommendation: Received.

10. Letter dated 1993 August 30 from Local 288 of the International Association of Fire Fighters requesting a deferral of a recommendation before City Council respecting the Social Contract.

Recommendation: Received.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Mayor's Report, and the Finance and Administration Committee, be now considered in Committee of the Whole with Alderman Drury in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - ELEVENTH REPORT
--

Section 36 Re: Closure and sale of a portion of Beckley Street

Alderman Jackson declared personal interest in, took no part in the debate and refrained from voting on this matter as Alderman Jackson and his spouse operate a business in the immediate area.

* * * * *

Section 40 Re: Meter charges - Provincial Sales Tax - Central Business District

Alderman Jackson declared personal interest in, took no part in the debate and refrained from voting on this matter as Alderman Jackson and his spouse operate a business in the Central Business District.

* * * * *

It was moved by Alderman Agro and seconded by Alderman Morelli that Rule. No. 8 of the City's Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution dealing with the acceptance of title to a portion of the former C.P. Rail right-of-way crossing Leland Street. **CARRIED.**

It was moved by Alderman Agro and seconded by Alderman Morelli that the following be added as Section 42 of the Eleventh Report for 1993 of the Transport and Environment Committee for 1993:

42. (a) That the City accept title from C.P. Rail (Toronto, Hamilton & Buffalo Railway) to that portion (Parts 3 and 4, Plan 62R-11315) of the former C.P. Rail right-of-way as it crosses Leland Street for the price of \$1.00.
- (b) That the Commissioner of Transportation/Environmental Services be authorized to prepare a by-law to incorporate the said land into Leland Street. **CARRIED.**

PARKS AND RECREATION COMMITTEE - FIFTEENTH REPORT

Section 13 Re: Parking Permit - 136-144 Cannon Street

Recorded vote.

YEAS: Aldermen Cooke, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: Mayor Morrow, Aldermen Kiss, Agro. -3. **CARRIED.**

PLANNING AND DEVELOPMENT COMMITTEE - THIRTEENTH REPORT

Section 23 Re: Resolution - Town of Lindsay

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Kiss, Copps, Wilson. -3.

CARRIED.

MAYOR'S REPORT - SECOND REPORT

FINANCE AND ADMINISTRATION COMMITTEE - FIFTEENTH REPORT

Section 5 (c) Re: Fire Fighters Association - Social Contract

It was moved by Alderman Ross and seconded by Alderman Cooke that the following be added as Sub-Section (c) of Section 5 of the Fifteenth Report for 1993 of the Finance and Administration Committee:

"That the Commissioner of Human Resources reaffirm to the Fire Fighters Association our willingness to negotiate permanent alternatives which will achieve the targeted 1993 to 1996 savings."

* * * * *

Section 13 Re: Use of Council Chambers - Canada 125 Commemorative Medals

Alderman Copps declared personal interest in, took no part in the debate and refrained from voting on this matter as Sheila Copps is Alderman Copps' daughter.

* * * * *

Section 25 Re: Committee Rooms at City Hall

It was moved by Alderman Agostino and seconded by Alderman Kiss that section 25 of the Fifteenth Report of the Finance and Administration Committee be amended to read:

"That with respect to the use of Committee Rooms at City Hall, that priority be given to activities associated with or sponsored by City Council, a Civic Department or Committee of Council."
CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - SIXTEENTH REPORT

Section 1 Re: Implementation of the Municipal construction contracts - local labour forces policy

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Agostino. -1.

CARRIED.

ACTING MAYOR

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman T. Jackson be appointed Acting Mayor for the month of September 1993. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Mayor's Report, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

ADOPTION OF BILLS

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-62, A-63, A-64, A-65, A-66, A-67, A-68.
C-63, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72.
H-51.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Drury in the chair. (second reading).

A-62, A-63, A-64, A-65, A-66, A-67, A-68.
C-63, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72.
H-51.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-62, A-63, A-64, A-65, A-66, A-67, A-68.
C-63, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72.
H-51.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-62, A-63, A-64, A-65, A-66, A-67, A-68.
C-63, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72.
H-51.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

1993 August 31

* * * * *

City Council then adjourned at 8:50 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

J.J. Schatz, City Clerk
1993 August 31

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **ELEVENTH** Report for 1993 and respectfully recommends:

1. (a) That the existing "No Parking" regulation on the south and west sides of Golden Orchard Drive which commences at a point 126 feet west of Brigadoon Drive and extends to a point 215 feet northerly therefrom be shortened such that the regulation commences at a point 182 feet west of Brigadoon Drive and extends to a point 159 feet northerly therefrom; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
2. (a) That a "Permit Parking" regulation be implemented on both sides of Simcoe Street West between Bay Street North and MacNab Street North in place of the existing "One Hour Parking Time Limit, 24 Hours a Day, Seven Days a Week" regulation; and
(b) That the Director of Traffic Services be authorized to issue two parking permits to residents of Nos. 31, 32, 35, 38, 40 and 42 Simcoe Street and No. 364 Bay Street North and one parking permit to residents of Nos. 28, 33, 34, 36, 44 and 46 Simcoe Street, and any additional permits (to a maximum of twenty-two) on a first come first served basis; and
(c) That the City Traffic By-law 89-72 be amended accordingly.
3. (a) That parking be prohibited on both sides of Dalcar Court from Upper Paradise Road to the easterly end; and
(b) That the City Traffic By-law 89-72 be amended accordingly.

4. (a) That a "No Parking" regulation be implemented on the south and south-west sides of Guildwood Drive commencing at a point 98 feet north west of the extended curb line of Gilcrest Street and extending to a point 153 feet westerly therefrom; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
5. (a) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., seven days a week" regulation on the west side of East 27th Street between Fennell Avenue East and the extended south curb line of MacKenzie Road be revised, such that the regulation commences at a point 136 feet south of Fennell Avenue East and extends to the extended south curb line of MacKenzie Road; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
6. (a) That the existing "Alternate Side Parking" regulation on Brigadoon Drive between Garrow Drive and Fiona Crescent (east leg) be shortened, such that the regulation commences at Grenoble Road and extends to Fiona Crescent (east leg); and
(b) That the City Traffic By-law 89-72 be amended accordingly.
7. (a) That the existing "No Stopping, Wheelchair Loading Only, 7:00 a.m. to 9:00 p.m., seven days a week" regulation on the west side of Greendale Drive commencing at a point 184 feet south of the south curb line of the north leg of Greendale Drive and extending to a point 17 feet southerly therefrom, be removed; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
8. (a) That the existing "Permit Parking" regulation on the north side of Dunsmure Road commencing at a point 51 feet east of Graham Avenue North and extending to a point 20 feet easterly therefrom be removed; and
(b) That the City Traffic By-law 89-72 be amended accordingly.

9.
 - (a) That a "No Stopping, Wheelchair Loading Only, 9:00 a.m. to 10:00 p.m., seven days a week" regulation be implemented on the west side of East 26th Street commencing at a point 115 feet south of Queensdale Avenue East and extending to a point 25 feet southerly therefrom; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
10.
 - (a) That a "Permit Parking" regulation be implemented on the west side of Leeming Street commencing at a point 84 feet south of Wright Avenue and extending to a point 22 feet southerly therefrom; and
 - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Randy Taylor, No. 73 Leeming Street; and
 - (c) That the City Traffic By-law 89-72 be amended accordingly.
11.
 - (a) That a "Permit Parking" regulation be implemented on the east side of Broadway Avenue commencing at a point 336 feet south of Ainslie Avenue and extending to a point 24 feet southerly therefrom; and
 - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Dietmar Pietsch, No. 293 Broadway Avenue; and
 - (c) That the City Traffic By-law 89-72 be amended accordingly.
12. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first four applicants residing in the apartment building at No. 148 Robinson Street.
13.
 - (a) That eastbound traffic on Pinard Street be required to stop for northbound and southbound traffic on Selway Court; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
14.
 - (a) That eastbound traffic on Connor Court be required to stop for northbound and southbound traffic on Parklands Drive; and

- (b) That the City Traffic By-law 89-72 be amended accordingly.
15. (a) That westbound traffic on Fano Drive (north leg) be required to stop for northbound and southbound traffic on Acadia Drive; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
16. (a) That four-way stop control be implemented at the intersection of Limeridge Road West and Bonaventure Drive; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
17. (a) That northbound traffic on Annabelle Street (west leg) be required to stop for eastbound and westbound traffic on Chester Avenue; and
- (b) That eastbound traffic on Brigadoon Drive be required to stop for northbound and southbound traffic on Appleblossom Drive; and
- (c) That northbound traffic on Appleseed Place be required to stop for eastbound and westbound traffic on Brigadoon Drive; and
- (d) That the City Traffic By-law 89-72 be amended accordingly.
18. (a) That in accordance with the request by the Hamilton Street Railway Company:
- i. the following bus routing be approved:

Route 23 Upper Gage

Northbound - Eva Street from Rymal Road East to Eaglewood Drive.

Westbound - Eaglewood Drive from Eva Street to Eleanor Avenue.

- ii. the following bus stop be relocated:

Route 23 Upper Gage

Delete - Northbound - Eleanor Avenue, east side, 195 feet north of the centre line of Rymal Road (M/B),

Add - Westbound - Eaglewood Drive, north side, 39 feet east of the east curb line of Eleanor Avenue (N/S); and

(b) That the City Traffic By-law 89-72 be amended accordingly.

19. That in accordance with the request by the Hamilton Street Railway Company the following bus stop relocation be approved:

Route 45 Limeridge

Delete - Eastbound - Limeridge Road East, south side, 39 feet west of the west curb line of Leggett Crescent (east leg) (N/S),

Add - Eastbound - Limeridge Road East, south side, 97 feet east of the east curb line of Leggett Crescent (east Leg) (F/S).

20. (a) That the construction of an independent concrete sidewalk on the east side of Upper Ottawa Street from Stone Church Road to approximately 275 m northerly proceed as a local improvement pursuant to Section 12 of the Local Improvement Act at an estimated gross cost of \$35,500. with a City's Share of \$13,072. and Owner's Share of \$22,428. all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
- (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
- (c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received; and,
- (d) That the City Clerk and City Treasurer be directed to give the necessary notice of City Council's intention to undertake these works.

21.
 - (a) That the construction of a concrete curb on the north side of Rennie Street from Waterloo Street to approximately 33.8 m easterly (east limit of 777 Rennie Street) and the construction of a concrete curb and sidewalk on the south side of Rennie Street from approximately 12.2 m east of Waterloo Street to approximately 12.2 m easterly (frontage of 776 Rennie Street) proceed as a local improvement pursuant to Section 11 of the Local Improvement Act at an estimated gross cost of \$8,700. with a City's Share of \$5,446. and an Owner's Share of \$3,254. all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
 - (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
 - (c) That the Director of Public Works be authorized to construct these works once all the necessary approvals have been received.
22.
 - (a) That the construction of a concrete alley first north of Barton Street East from Tragina Avenue North to Weir Street North (east west portion only) proceed as a local improvement pursuant to Section 11 of the Local Improvement Act at an estimated gross cost of \$30,400. with a City's Share of \$25,175. and an Owner's Share of \$5,225. all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
 - (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
 - (c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received.
23.
 - (a) That an Offer to Purchase (Highway Closure), duly executed by Nadia Medill on 1993 July 21, and scheduled to close within thirty (30) days of completion of the conditions as set out in the agreement, but in any event, no later than 1994 July 12, for the sale of part of the alley between Lots 1, 2, and 7, Registered Plan 271, having a frontage of .939 metres (3.08 feet) more or less, along the northerly limit of Murray Street East, by a depth of 11.125 metres (36.5 feet) more or less, and comprising a total area of 10.591 square metres (114.0 square feet) more or less, and designated as Part 1 on Reference Plan 62R-12253, be approved and completed, and the funds derived from this sale of \$1. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
 - (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

24. (a) That approval be given to the Hamilton Street Railway Company to install a 5 ft. x 10 ft. bus shelter located at 775 Upper Wentworth Street at an annual fee of \$1. to be credited to Account No. CH44104 31106 (Rent Oblique fees -City Property).
- (b) That the Mayor and City Clerk be authorized to execute the necessary Licence Agreement in a form satisfactory to the City Solicitor.
- (c) That it is understood and agreed that the Hamilton Street Railway Company will remove the said bus shelter if required by the City, for any purpose, given thirty (30) days written notice without reservation.
25. (a) That Section 46 of the Eighth Report of the Transport and Environment Committee approved 1993 June 29, be rescinded as this recommendation is no longer required for the development of Edan Heights - Phase 3, Hamilton.
- (b) That the estimated City share of works required under the Modified Subdivision Agreement with the Owner of certain lands on Bow Valley Drive, (Vedemo Construction Limited), in conjunction with Severance Application H-76-72, Hamilton, be approved;
- City's Share - \$1,410.27 Owners share - \$28,631.64
- (c) That the Finance and Administration Committee recommend the method of financing the City's share.
- (d) That the Mayor and City Clerk be authorized and directed to execute the proposed Modified Subdivision Agreement with the Owner (Vedemo Construction Limited), for the lands under Severance Application H-76-92, Hamilton, as well as any other related documents for this Modified Subdivision Agreement, subject to the approval of the City Solicitor.
26. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of A. Demik, agent for the Hamilton Mountain Provincial Riding Association, to temporarily close Corsica Court at Bonaparte Way, on Thursday, 1993 July 22 from 6:00 o'clock p.m. to 9:00 o'clock p.m. to hold a Street Party, subject to the following conditions:
- (a) That approval from Regional Police Services be received;
- (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;

- (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
 - (d) That all barricading be supplied by and at the expense of the applicant;
 - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services;
 - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Region and at the expense of the event organizer;
 - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
 - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
27. That the application of D. Upsdell, agent for the Westdale Business Improvement Association (991 King Street West, Hamilton), to temporarily close King Street West between North Oval and Cline Avenue, on Saturday, 1993 September 18, from 8:00 o'clock a.m. to 12:00 midnight be approved, subject to the following conditions:
- (a) That approval from Regional Police Services be received;
 - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
 - (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;

- (d) That all barricading be supplied by and at the expense of the applicant;
 - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant;
 - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
 - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
 - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
28. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of A. Bradford, agent for the Regional Municipality of Hamilton-Wentworth, Economic Development Department (1 James Street South, Hamilton) to temporarily close the following City streets from Friday, 1993 July 23, at 8:00 o'clock a.m. to Monday, 1993 July 26 at 5:00 o'clock p.m.:

Bay Street North from Burlington to Guise
MacNab Street North from Burlington to Guise
James Street North from Burlington to Guise
Hughson Street North from Burlington to Guise
John Street North from Burlington to Guise
Catharine Street North from Burlington to Guise
Mary Street North from Burlington to Guise
Ferguson Avenue North from Burlington to Guise
Guise Street from Bay to Ferguson;

for the annual Greater Hamilton Aquafest, provided;

- (a) That approval from the Regional Police Services be received;
 - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
 - (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
 - (d) That all barricading be supplied by and at the expense of the applicant;
 - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant;
 - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
 - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
 - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
29. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of T. Farrar, agent for Cycle Hamilton (244 Jackson Street West, Hamilton) to temporarily close Hess Street from King to Main, George Street from Queen to Ray and Ray Street from George to King on Sunday 1993 August 8, from 1:00 o'clock p.m. to 7:00 o'clock p.m., in order to hold the annual Hess Village Grand Prix Bicycle Race, subject to the following conditions:

- (a) That approval from Regional Police Services be received;
 - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
 - (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
 - (d) That all barricading be supplied by and at the expense of the applicant;
 - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services, and at the expense of the applicant;
 - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
 - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
 - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
30. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the request of B. Nash (50 Webster Road, Stoney Creek) to close Webster Road on Saturday, 1993 July 10 from 2:00 o'clock p.m. to 10:00 o'clock p.m., in order to control the unauthorized use of private property for parking during a fireworks display at the adjacent Battlefield Park, subject to the following conditions:
- (a) That approval from Regional Police Services be received;

- (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the City of Hamilton and holding the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
- (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
- (d) That all barricading be supplied by and at the expense of the applicant;
- (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services;
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
- (h) That all property owners and tenants along the closed portion of the route be notified of the closure by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

31. (a) That the applications to retain inadvertent encroachments at the following locations be approved during the pleasure of City Council:

	Location	Type of Encroachment	First Year/Annual	File Number
i.	127 Strachan Street East	Portion of building measuring 32.30 ft. x 0.33 ft. and chimney measuring	\$111./\$20.	T103-50 (1063)

.75 ft. x 5.75 ft.
onto Mary Street and
porch measuring
19.56 ft. x .023 ft.
onto Strachan Street

- | | | | | |
|-----|-------------------|--------------------|--------------|---------|
| ii. | 204 Burris Street | Steps measuring | \$111./\$20. | T103-50 |
| | | 1.52 ft. x 4.5 ft. | | (1064) |
| | | onto Burris Street | | |

(b) That approval be subject to the following:

- i. That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
- ii. That the Mayor and City Clerk be authorized to execute the City's standard form of agreement.
- iii. That the first year fees and subsequent annual fees as outlined in recommendation (a) i. and ii. be set for the encroachments.

- 32. That City Council enact the by-law to authorize construction of local improvements of concrete sidewalks and curbs and finished roadway on Forbes Street from approximately 40 m south of Blossom Lane to approximately 57 m southerly.
- 33. That City Council enact the by-law to authorize construction of local improvements of finished roadway on Acadia Drive approximately 50 m south of Butler Drive to approximately 200 m southerly.
- 34. That City Council enact the by-law to authorize construction of local improvements of concrete sidewalks on the west side of Upper Wellington Street from Bryna Avenue to the north limits of the East-West Freeway.

35. That a purchase order be issued to Industrial Brake, Hamilton, for the supply and delivery of Automotive Brake Parts for medium and heavy duty vehicles over 15,000 lb. GVW as and when required during 1993 and 1994 by the Public Works Department, being the lowest of three tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be funded through Parts Account CH56702 64105.
36.
 - (a) That the appropriate by-law for the closure and sale of a portion of Beckley Street, being designated as Part 2, on Plan 62R-12475, and the alteration of the remainder of Beckley Street being designated as Part 1, on Plan 62R-12475, be forwarded to City Council for enactment.
 - (b) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
37.
 - (a) That the West Central Branch of the Ministry of the Environment and Energy be advised that the City of Hamilton has no objection to Sanexen Environmental Services Inc. carrying out the proposed PCB chemical destruction for Laidlaw at 470 Kenora Avenue North, Hamilton, Ontario;
 - (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the Ministry of the Environment and Energy (MOEE) be waived so that the proposed work referred to in sub-section (a) above, can be carried out as scheduled;
 - (c) That no specific Municipal or Regional permits are required for the proposed work referred to in sub-section (a).
38.
 - (a) That the West Central Branch of the Ministry of the Environment and Energy be advised that the City of Hamilton has no objection to TASSCO carrying out the proposed PCB chemical destruction for J. I. Case at 450 Sherman Avenue North, Hamilton, Ontario;
 - (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the Ministry of the Environment and Energy (MOEE) be waived so that the proposed work referred to in sub-section (a) above, can be carried out as scheduled;

- (c) That no specific Municipal or Regional permits are required for the proposed work referred to in sub-section (a).
39. (a) That three-way stop control be implemented at the intersection of Cranbrook Drive and Stanlow Crescent; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
40. (a) That, to establish consistency in meter charges, and to recapture a portion of the Provincial Sales tax recently imposed on all on-street meters, that City Council approve an adjustment in the on-street meters in the Central Business District (Barton to Herkimer and Wellington to Queen) to a single rate of \$.50 per half hour (inclusive of PST and GST) and,
- (b) That City Traffic By-law 89-72 be amended accordingly.
41. That leave be granted to introduce the following Bills:
- (a) **Bill A-62** By-law to authorize the construction of local improvements without petition under Section 12 of the Local Improvement Act of concrete sidewalks and curbs and finished roadway on Forbes Street from approximately 40 m south of Blossom Lane to approximately 57 m southerly
 - (b) **Bill A-63** By-law to authorize the construction of local improvements of a finished roadway on Acadia Drive approximately 50 m south of Butler Drive to approximately 200 m southerly
 - (c) **Bill A-64** By-law to authorize the construction of local improvements under Section 12 of the Local Improvement Act of concrete sidewalks on the west side of Upper Wellington Street from Bryna Avenue to the north limit of the East-West Freeway

- (d) **Bill A-65** By-law to stop-up, close and sell a portion, and to alter the remainder of Beckley Street from John Street to James Street
- (e) **Bill A-66** By-law to amend Traffic By-law 89-72 to Regulate Traffic
- (f) **Bill A-67** By-law to amend Traffic By-law 89-72 to Regulate Traffic
- (g) **Bill A-68** By-law to amend Traffic By-law 89-72 to Regulate Traffic

42. (a) That the City accept title from C.P. Rail (Toronto, Hamilton & Buffalo Railway) to that portion (Parts 3 and 4, Plan 62R-11315) of the former C.P. Rail right-of-way as it crosses Leland Street for the price of \$1.00.

(b) That the Commissioner of Transportation/Environmental Services be authorized to prepare a by-law to incorporate the said land into Leland Street.

ADDED AND CARRIED.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1993 August 23

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **FIFTEENTH** Report for 1993 and respectfully recommends:

1. (a) That an Offer to Purchase (Easement) Agreement, executed by Regional Officials on 1993 August 5, and scheduled to close on or before 1993 October 5, for the purchase by the Regional Municipality of Hamilton-Wentworth of a Sanitary Sewer Easement over the lands composed of part of Burlington Beach, lying in front of Lot 34, Broken Front Concession, formerly in the Geographic Township of Saltfleet, now in the City of Hamilton, located at the rear of 283, 285 $\frac{1}{2}$ and 289 $\frac{1}{2}$ Beach Boulevard, shown as Part 1 on Plan RA-H-581 Surveys, containing 456 square metres (0.112 acres) more or less, be approved and completed, and the funds derived from this sale of \$1,500. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases). Subject parcel forms part of the property known as 5 Beach Boulevard.
- (b) That an Authority to Enter Agreement, executed by officials of the Regional Municipality of Hamilton-Wentworth, authorizing the Region to enter City lands for the construction of a Sanitary Sewer through Part 1 on Plan RA-H-581 Surveys, effective the day following City Council approval, be approved.
- (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.

2. (a) That an Offer to Purchase, executed by Ivana Spadafora on 1993 July 23, and scheduled for closing on or before 1993 October 15, for a portion of City-owned property, more particularly described as Part 2 on Plan 62R-10441, located to the rear of 11 Derek Drive, having a depth of 3.192 metres (10.47 feet) more or less, and a width of 29.11 metres (95.5 feet) more or less, containing an area of 92.9 square metres (1,000.2 square feet) more or less, be approved and completed and the funds derived from this sale of \$2,500. be credited to Account No. CH4X501 00201 (Reserve for Parklands).
 - (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.
3. (a) That an Offer to Purchase, executed by Carmen P. Frosina and Carolyn J. Frosina on 1993 July 27, and scheduled for closing on 1993 October 15, for a portion of City-owned property, more particularly described as Part 3 on Plan 62R-10441, located to the rear of 15 Derek Drive, having a depth of 3.336 metres (10.94 feet) more or less, and a width of 16.418 metres (53.86 feet) more or less, containing an area of 54.77 square metres (589.56 square feet) more or less, be approved and completed and the funds derived from this sale of \$1,400. be credited to Account No. CH4X501 00201 (Reserve for Parklands).
 - (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.
4. (a) That an Offer to Purchase, executed by Marcella Sabatini on 1993 July 14, and scheduled for closing on or before 1993 October 15, for a portion of City-owned property, more particularly described as Part 4 on Plan 62R-10441, abutting the easterly boundary of 10 Chert Avenue, having a width of 3.336 metres (10.94 feet) more or less, and a depth of 33.51 metres (109.94 feet) more or less, containing an area of 108.12 square metres (1,163.8 square feet) more or less, be approved and completed and the funds derived from this sale of \$3,000. be credited to Account No. CH4X501 00201 (Reserve for Parklands).
 - (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.

5. That the following artifacts be deaccessioned from the Hamilton Military Museum collection and transferred to Theatre Aquarius for use as theatrical costumes:

Battledress	1984.234.2a-b 1986.319.3-4 1989.401.4 1989.404.3
Tunics/Jackets	1985.272.1-3 1985.272.11-14 1986.334.7 1986.334.111 and breeches 1988.379.6-7 1989.401-8-9 1989.412.8 1989.424.7-8
Mess Dress	1988.383.4-5 1990.431.12-13
Berets	1980.2.2 1984.220.22 1984.234.6 1985.272.25 1986.304.3 1989.424.18 19920025-016
Field Service Caps	1981.92.29 1984.234.9-10 1988.384.10
Forage caps	1977.176.2 1977.184.1-2 1984.220.20 1985.272.15, 23 1986.334.12 1986.336.13 1989.404.19
Civilian breeches	1983.211.51-52
Greatcoats	1986.319.5 1989.404.6

6. That funds in the approximate amount of \$7,500. be utilized from the Hamilton Children's Museum Trust Account (Account No. CH5X999 00403) to purchase a computer, printer and required software for the Hamilton Children's Museum.
7.
 - (a) That the West Mountain Baseball Association be authorized to construct a 1,200 square foot, 2 storey field house/public washroom building, at their cost, in Olympic Park.
 - (b) That the Director of Property and City Solicitor be authorized to prepare any joint use agreements, lease agreements, performance contracts or other legal agreements as may be required to facilitate the construction of the building and its joint use by the citizens of Hamilton and the West Mountain Baseball Association.
 - (c) That the City of Hamilton provide the necessary site services for the building.
 - (d) That the West Mountain Baseball Association be exempt from payment of any building permit fees pursuant to Building Permit By-law No. 93-167.
 - (e) That staff be authorized to consult with the Ministry of Municipal Affairs regarding the eligibility of this project for funding under the Jobs Ontario Program.
8.
 - (a) That the City of Hamilton Parks Division provide routine maintenance services for the Escarpment Rail Trail from Limeridge Road to Wentworth Street including litter control, maintenance of park signage, seating areas, grass cutting and periodic tree trimming.
 - (b) That the estimated annual maintenance cost of \$8,000. be considered during the 1994 budget process as an addition to the base of Account No. CH51401 62102 (General Park Maintenance).
 - (c) That Hamilton-Wentworth Regional Council be requested to consider an extension of the north-south leg of the "Escarpment Rail Trail Project", southerly from Limeridge Road to Stone Church Road and Dartnall Road as well as a connection to the Hydro Corridor and the westerly component of the bike trail.

9. That the original contract entered into with Demik Construction Limited for the construction of Sackville Hill Seniors' Recreation Centre in the amount of \$2,920,000., originally approved by City Council on 1991 September 24 in adopting Section 1 of the Eighteenth Report of the Parks and Recreation Committee be increased by \$6,651.
10.
 - (a) That the Mayor and City Clerk be authorized to execute a Site Plan Agreement with the Corporation of the Township of Glanbrook in a form satisfactory to the City Solicitor for the City-owned land situated in the Township of Glanbrook part of Lot 8, Concession 1 formerly the Township of Glanford, to permit the development of part of the former Turner farm as a baseball park.
 - (b) That the Mayor and City Clerk be authorized to execute a Licence Agreement with Ontario Hydro in a form satisfactory to the City Solicitor for the lands situated in the Township of Glanbrook, part of Lot 8, Concession 1, formerly the Township of Glanford for the purpose of access and recreational use across the Ontario Hydro lands which bi-sect Turner Park for a twenty (20) year term with a rental fee of \$1. to be charged to Account No. CH56398 62910 (DEV014).
11.
 - (a) That approval be given to increase the contract of the Consultant Architect, Svedas, Koyanagi Architects Inc. by \$19,246.22 to \$426,024.22 plus 7% GST of \$29,821.70 which pays for additional services related to the construction contract cost, and other changes, to be financed from funds within the project.
 - (b) That approval be given to leave the unexpended balance of \$24,634.76 in the feasibility phase Account No. 709041010 to be held until the Twin Pad project is complete.
 - (c) That a contract amendment satisfactory to the City Solicitor be executed between the City of Hamilton and the Prime Consultant, Svedas Koyanagi Architects Inc.
12.
 - (a) That the existing contract awarded to Philip Enterprises Inc. of Hamilton in May 1992, in the amount of \$4,310,865.69 for the removal and disposal of hazardous soils from Harbourfront Park, including rough grading, placement of the impervious clay cover and topsoil on the site be extended by the amount of \$67,000. including taxes for additional rough grading, placement of impervious clay cover and topsoil and be funded from the Harbourfront Park Remediation - Stage II Account No. CF5200 419254003 for Harbourfront Park.

- (b) That the existing contract awarded to Blue-Con Inc. of London, Ontario in November 1992 in the amount of \$1,384,178.75 for the construction of Shoreline protection works at Harbourfront Park be extended by the amount of \$71,000. including taxes for the installation of additional armourstone and be funded from the Harbourfront Park Remediation - Stage II Account No. CF5200 419254003 (\$32,000.) for Harbourfront Park, and the North End Anti-Recession Program Account No. CF5200 429202004 (\$39,000.).
 - (c) That the existing contract awarded to Harm Schilthuis and Sons Ltd. of Ancaster, Ontario in April 1993 in the amount of \$737,892. for the supply and installation of a pier structure, pavilion and floating dock at Pier-4 Park be extended by the amount of \$61,000. including taxes for additional length of piles, supply of hydro and lighting to the pier and be funded from the Harbourfront Park Remediation - Stage II Account No. CF5200 419254003.
 - (d) That the existing contract awarded to Harm Schilthuis and Sons Ltd. of Ancaster, Ontario in June 1993 in the amount of \$261,041.41 for the construction of the tugboat play area and spray pad at Pier-4 Park be extended by the amount of \$104,000. including taxes for hydro service, lighting, sidewalk, curbs and railings and be funded from the North End Anti-Recession Program, Account No. CF5200 42902004.
 - (e) That the City Solicitor be requested to prepare amendments to the legal agreements with the three contractors to incorporate these extensions to the scope of work.
13. That an initial fee of \$50. be charged for each parking permit issued to residents of 136 - 144 Cannon Street to cover the cost of manufacturing, erecting and maintaining the required signs for the reserved parking spaces within Beasley Park.

Recorded vote.

YEAS: Aldermen Cooke, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: Mayor Morrow, Aldermen Kiss, Agro. -3.

CARRIED.

14. (a) That the Mayor and City Clerk be authorized to sign a License Agreement with Scott- MacDonald Ltd. in a form satisfactory to the City Solicitor for the non-exclusive right to sell food and non alcoholic drink at Pier-4 Park from a moveable stand or cart.

- (b) That Scott MacDonald Ltd. pay the standard vendor's licence fee, pro rated for a one month period ending 1993 September 30.
- 15. (a) That a purchase order be issued to Frank Bufalino & Sons Construction Ltd. in the amount of \$418,500. to complete the construction of a new Club House for the Hamilton Tennis Club at 247 Duke Street, H.A.A.A. Grounds and that a contract be entered into satisfactory to the City Solicitor.
- (b) That the City enforce its rights under the Bond through court action against the Guarantee Company of North America, to recover the additional funds required to complete the project up to a maximum of \$188,000.
- (c) That the Finance and Administration Committee be requested to recommend the method of financing for this additional amount of \$111,000.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1993 August 24

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRTEENTH** Report for 1993 and respectfully recommends:

1. That approval be given to amended Zoning Application ZAC-93-14, 800064 Ontario Inc. (A. DiSilvestro, owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District, to permit future small lot single-family detached dwellings for property located in the area west of Garth Street and south of Claudette Gate, as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District;
 - (b) That the City Solicitor be directed to prepare a By-law to amend By-law No. 6593 and Zoning District Map W-27D for presentation to City Council; and,
 - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
2.
 - (a) That the attached Appendix "B" outlining B.I.A. priority projects for implementation under the Commercial Improvement Program be approved at an estimated cost of \$113,600.
 - (b) That the remaining funds totalling \$344,400. be deferred pending the outcome of the Capital Budget deliberations resulting from the anticipated reduction in Provincial transfer payments.
3. That the Statement of Interest, attached hereto as Appendix "C", for the CN Station Citizens Advisory Committee be approved.
4.
 - (a) That the City enter into a Site Plan Agreement with the owner of Mirdem Nursing Home Ltd. for a property at 176 Victoria Street.

- (b) That the following additional provisions be inserted into the City's standard Site Plan Agreement to ensure that the current building on the property is demolished once the proposed new building has been completed.
- i. The owner agrees to demolish the existing building, as described by the Committee of Adjustment in its July 7, 1993 decision, when the new three storey nursing home building referred to in the same decision has been completed;
 - ii. \$35,000. in security is to be provided to the City by the owner as security in the form of cash or an irrevocable Letter of Credit;
 - iii. A Building Permit will not be issued until the security has been provided to the City;
 - iv. The security will be placed in a non-interest bearing account and held until the existing building as described by the Committee of Adjustment in its July 7, 1993 Decision has been demolished;
 - v. The owner is to obtain postponements in favour of the City's Site Plan Agreement from those with previous registered financial interests in the property;
 - vi. The owner is to agree that if the existing building as described by the Committee of Adjustment in its July 7, 1993 Decision is not vacated and demolished within six (6) months of the completion date of the proposed new three storey nursing home, that the City is authorized to retain and use the security to obtain compliance with the agreement and where the security is not sufficient to effect compliance, to add any shortfall to the property's tax assessment roll to be recovered as taxes;
 - vii. The solicitor to the owner is to provide the City with a Certificate indicating the priority of the City's registered Site Plan Agreement to the satisfaction of the City Solicitor;
 - viii. The final details of the Site Plan Agreement as prepared by the owner's solicitor be reviewed and approved to the satisfaction of the City Solicitor; and
 - ix. The Site Plan Agreement is to be registered on the lands at the expense of the owner.

5. That the appropriate staff be authorized to appear at an Ontario Municipal Board Hearing regarding an appeal to Committee of Adjustment decision A-92-253, 1340 Main Street East.
6. (a) That the following prizes be awarded to Mohawk College broadcasting students for their submissions in the Phase IV Downtown Action Plan, Public Service Announcement (P.S.A.) competition. All of the P.S.A.'s contain messages about keeping Hamilton clean.

First Prize: Craig Hogg, production of "Family"
Second Prize: Sharon Bacon, production of "Out-of-Site"
Third Prize: Sandi Krempa, production of "Time"
- (b) That funds be provided from Phase IV of the Downtown Action Plan for the first prize at \$700., second prize at \$500. and third prize at \$200. and a donation to Mohawk College Media Studies Department of \$1,000. for development of the videos and use of equipment.
7. That City Council enact a By-law to amend By-law 77-244 respecting the requirement for fences and pool enclosures for private swimming pools to remove the requirement for a building permit.
8. That the Building Department be authorized and directed to hold public meetings and establish and chair a Committee to draft a hoarding and fencing by-law, for fencing and hoarding around construction sites, as permitted in The Ontario Building Code Act, R.S.O. 1992, Chapter 23.
9. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, five hundred and fifty two (\$1,552.) be approved for Evelyn Wood, 417 Fairfield Avenue North, Hamilton. The interest rate will be 8 percent amortized over 10 years.
10. That a Commercial Loan in the amount of twenty five thousand dollars (\$25,000.) be approved for John Mouskos. The interest will be 2 7/8 percent amortized over 10 years.
11. That a Commercial Loan in the Amount of thirteen thousand, seven hundred and twelve (\$13,712.) be approved for Baba Tooma. The interest rate will be 2 7/8 percent amortized over 10 years.
12. That a Commercial Loan in the amount of six thousand and five hundred dollars (\$6,500.) be approved for Joseph Patrick Finocchio. The interest rate will be 2 7/8 percent amortized over 10 years.

13.
 - (a) That the Building Department, Loans Division, was directed to apply on behalf of the owner to the Province of Ontario for a Designated Property Grant in the amount of four thousand and thirty-eight dollars (\$4,038.) for Jeffrey Steadman, 124 MacNab Street South, Hamilton.
 - (b) That the Building Department, Loans Division, be directed to process an increase in the Community Heritage Trust Fund Loan to Jeffrey Steadman, owner of 124 MacNab Street North, in the amount of four thousand, one hundred and thirty-seven dollars (\$4,137.) at 2 7/8 percent interest amortized over a ten year period.
14.
 - (a) That the Building Department, Loans Division, be directed to apply on behalf of the owner to the Province of Ontario for a Designated Property Grant in the amount of four thousand, eight hundred and thirty seven-dollars (\$4,837.) for Jeffrey Steadman, 126 MacNab Street South, Hamilton.
 - (b) That the Building Department, Loans Division, be directed to process an increase in the Community Heritage Trust Fund Loan to Jeffrey Steadman, owner of 126 MacNab Street North, in the amount of four thousand, nine hundred and thirty-seven dollars (\$4,937.) at 2 7/8 per cent interest amortized over a ten year period.
15.
 - (a) That the Building Department, Loans Division, be directed to apply on behalf of the owners to the Province of Ontario for a Designated Property Grant in the amount of three thousand dollars (\$3,000.) for Jane and Paul Rigby, 260 MacNab Street North, Hamilton.
 - (b) That the Building Department, Loans Division, be directed to process an increase in the Community Heritage Trust Fund Loan to Jane and Paul Rigby, owners of 260 MacNab Street North, in the amount of four thousand and three hundred dollars (\$4,300.) at 2 7/8 percent interest amortized over a ten year period.
16.
 - (a) That the Building Department, Loans Division, be directed to apply on behalf of the owners to the Province of Ontario for a Designated Property Grant in the amount of two thousand, eight hundred and fifty-seven dollars (\$2,857.) for Hazell Ross-Iampietro and Gerald Iampietro, 185 Delaware Avenue.

- (b) That the Building Department, Loans Division, be directed to process an increase in the Community Heritage Trust Fund Loan to Hazell Ross-Iampietro and Gerald Iampietro, owner of 185 Delaware Avenue, in the amount of three thousand and fifty-seven dollars (\$3,057.) at 2 7/8 percent interest amortized over a ten year period.
17. That a Designated Grant in the amount of three thousand dollars (\$3,000.) be provided to the Hamilton Hebrew Academy, 235 Bowman Street, Hamilton.
 18. (a) That the Building Department, Loans Division, be directed to apply on behalf of the owners to the Province of Ontario for a Designated Property Grant in the amount of two thousand, three hundred and thirteen (\$2,313.) for Heinz Ollesch, owner of 172-176 Locke Street South, Hamilton.
 - (b) That the Building Department, Loans Division, be directed to process an increase in the Community Heritage Trust Fund Loan to Heinz Ollesch, 172-176 Locke Street South, in the amount of two thousand, five hundred and fourteen dollars (\$2,514.) at 2 7/8 percent interest amortized over a ten year period.
 19. (a) That the Building Department, Loans Division, be directed to apply on behalf of the owners to the Province of Ontario for a Designated Property Grant in the amount of two thousand, nine hundred and twenty-nine dollars (\$2,929.) for Keltie Lynn Law, owner of 112 Aberdeen Avenue.
 - (b) That the Building Department, Loans Division, be directed to process an increase in the Community Heritage Trust Fund Loan to Keltie Lynn Law, 112 Aberdeen Avenue, in the amount of three thousand, one hundred and twenty-nine dollars (\$3,129.) at 2 7/8 percent interest amortized over a ten year period.
 20. That a Designated Grant in the amount of six hundred and forty-nine dollars (\$649.) be provided to Jane and Paul Rigby, 74 George Street, Hamilton.

21. That the Building Commissioner be authorized to issued demolition permits for the following:
 - (a) 1121 Upper James Street
 - (b) 1128 Upper James Street
 - (c) 1134 Upper James Street
 - (d) 1142 Upper James Street
 - (e) 1150 Upper James Street
 - (f) 1160 Upper James Street
 - (g) 1075-1079 Upper James & 7 Limeridge Road East
 - (h) 50 Limeridge Road East
 - (i) 571 Burlington Street East
 - (j) 605 Mohawk Road West
 - (k) 28 Dodson Street
22.
 - (a) That the request of Anthony G. DiCenzo, Solicitor for DiCenzo Construction Company Limited, to remove part-lot control from Lots 1-22, inclusive, "Sandrina Gardens, Phase 1", Plan of Subdivision, 62M-733, be approved;
 - (b) That the appropriate by-law to remove part-lot control from Lots 1-22, inclusive, "Sandrina Gardens, Phase 1" Plan of Subdivision, be enacted by Council;
 - (c) That following enactment of this by-law, that the Regional Municipality of Hamilton-Wentworth (as delegates of the Minister of Municipal Affairs), be requested to grant approval to the by-law and endorse the same on the by-law; and
 - (d) That following completion of the conveyances being permitted by the said by-law to remove part-lot control, a by-law be enacted to repeal the said by-law.

23. (a) That the resolution from the Town of Lindsay, attached hereto and marked as Appendix "D", be endorsed; and
- (b) That the Minister of the Environment and Energy and the Town of Lindsay be advised of Council's endorsement.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Kiss, Copps, Wilson. -3.

CARRIED.

24. (a) That Council endorse the efforts of the Association of Conservation Authorities of Ontario to develop a more simplified resource management system;
- (b) That the Provincial Government undertake a comprehensive review of resource management issues together with all affected municipalities and the Association of Conservation Authorities of Ontario;
- (c) That a review of resource management issues in Ontario also include:
- i. an examination of the funding requirements of restructured Conservation Authorities; and
 - ii. direct consultation and negotiation with affected municipalities on possible changes to land use planning measures and approvals related to the mandate of restructured Conservation Authorities.
- (d) That the Hamilton Region Conservation Authority, all local Members of Provincial Parliament, and the Ministers of Natural Resources, Environment and Energy, Agriculture and Food, and Municipal Affairs be advised of this resolution.
25. That leave be granted to introduce the following Bills:
- (a) C-63 By-law to Amend Zoning By-law No. 6593 respecting land located at the rear of Municipal No. 1011 Queenston Road (North of Berkindale Drive)

1993 August 31

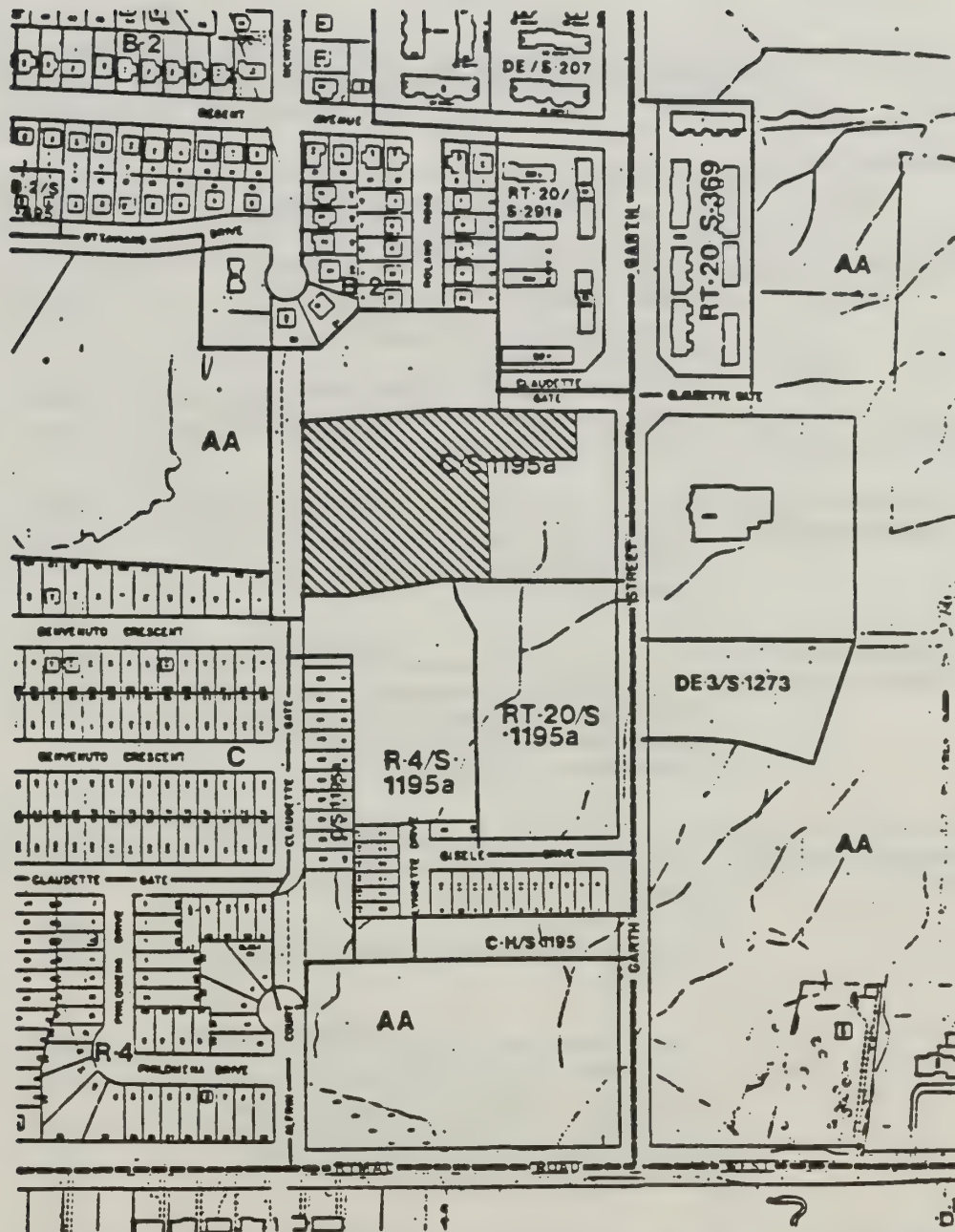
- (b) C-65 By-law to Amend Zoning By-law 6593 respecting land located at the rear of Municipal No. 1011 Queenston Road (South of Berkindale Drive)
- (c) C-66 By-law to establish Site Plan Control respecting land located at the rear of Municipal No. 1011 Queenston Road (South of Berkindale Drive)
- (d) C-67 By-law to authorize the entering into of a Heritage Easement Agreement respecting Whitehern
- (e) C-68 By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 92-075 respecting land located at Municipal No. 1314 Upper Wentworth Street
- (f) C-69 By-law to remove land within the Sandrina Gardens, Phase 1 Subdivision, Plan 62M-733 from Part Lot Control
- (g) C-70 By-law to Amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 236-250 Rymal Road West
- (h) C-71 By-law to authorize the New Commercial Loan Program
- (i) C-72 By-law to Amend By-law 77-244 respecting Fences and Gates around Private Outdoor Swimming Pools.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

Tina Agnello, Secretary
1993 August 25

1993 August 31



Legend

Proposed Changes in Zoning From:



"C" (Urban Protected Residential, etc.) District to
"R-4" (Small Lot Single-Family Detached) District.



1993 August 31

COMMERCIAL IMPROVEMENT PROGRAM REQUESTS

1993

B.I.A.	Proposed Improvements	Estimated Cost
International Village B.I.A.	1) Bicycle Racks	\$ 3,000.
	2) Provision of and installation of ten (10) historical plaques on Heritage Buildings within International Village.	\$ 6,000.
	3) Increased luminaire lighting in north alleyway between Mary Street and Wellington Street to improve safety and reduce vandalism.	\$ 3,000.
	ESTIMATED COST	\$12,000.
Ottawa Street B.I.A.	1) Installation of concrete crosswalk at Campbell and Ottawa Streets during reconstruction of Ottawa Street in 1994.	\$25,000.
	ESTIMATED COST	\$25,000.
Barton Street B.I.A.	1) Due to this B.I.A.'s depleted condition along with its 50% vacancy rate, they have asked that an amount be set aside for revitalization improvements along Barton Street.	\$52,000.
	ESTIMATED COST	\$52,000.
Downtown Promenade B.I.A.	1) Improvements to Alleyway lighting within the boundaries of the B.I.A.	\$ 2,000.
	2) Wall Mural.	\$ 5,000.
	3) Supply and installation of twenty (20) bench dividers.	\$ 4,500.
	ESTIMATED COST	\$11,500.
Concession Street B.I.A.	1) Alleyway lighting on south side of Concession Street between East 21st and East 24th Streets.	\$ 4,000.
	2) Installation of thirty-seven (37) pole mounted photocells along wood hydro poles which will significantly reduce Hydro costs.	\$ 3,700.
	ESTIMATED COST	\$ 7,700.
Westdale Village B.I.A.	1) The purchase and installation of two (2) benches in front of the Library.	\$ 1,400.
	ESTIMATED COST	\$ 1,400.

Main Street West Esplanade B.I.A.	1) The purchase and installation of six (6) litter container lids.	\$ 1,000.
	2) The B.I.A. has requested greenery on Main Street West but due to restricted sidewalk width the only possible locations could be on the school property that fronts onto Main Street West. This will be pursued with the Public School Board.	\$ 3,000.
	ESTIMATED COST	\$ 4,000.
	TOTAL ESTIMATED COST	\$113,600.

CN STATION CITIZENS ADVISORY COMMITTEE

STATEMENT OF INTEREST

I. Statement of Interest

a) Geographical Area

The area of interest constitutes primarily the CN Station and its surrounding property: bounded by James St. N., Murray St., Hughson St. N., and the CN tracks, as well as the CN parking lot to the west (situated between James North and MacNab North) and the railway platforms on the lower level. (See attached Map)

b) Heritage Character

The area of interest focuses on the heritage character of the CN Station and surrounding property, which is derived from the following heritage attributes: architectural, historical, landscape and contextual merits.

The heritage significance of the CN Station has been duly recognized by all levels of government:

Federal: Designated under the Heritage Railway Stations Protection Act (sale, alteration, or demolition regulated)
The geographical area is defined as follows: "The station precinct consists of a grassy front plaza, the T-plan station building and suspended concourse, and a large track yard with ancillary buildings at lower level."

Provincial: Evaluated as "Heritage Class: A; Architecturally significant and unique to the province", Study by the Ontario Heritage Foundation and the Ministry of Citizenship and Culture in cooperation with Canadian National Railways and VIA Rail (no regulations apply)

Municipal: Listed as a Landmark Building and on the Inventory of Buildings of Architectural and Historical Interest (no regulations apply). Designation at the municipal level under the Ontario Heritage Act is now under consideration.

II. Statement of Intent

It is the intent of the committee to encourage and facilitate

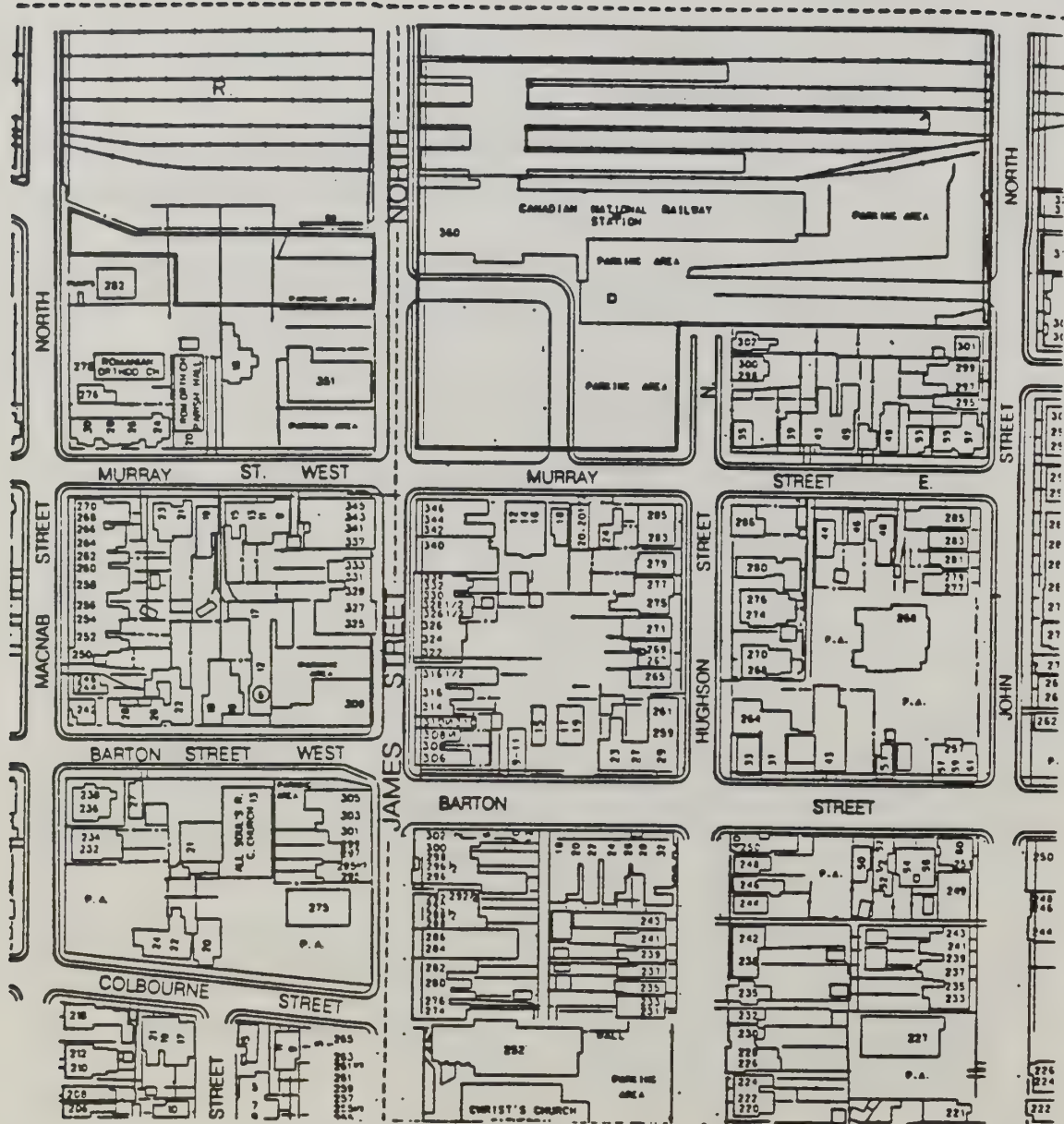
- (a) the conservation, restoration, and appropriate re-use of the CN Station; and
- (b) the preservation of the open space to the south of the CN Station, to include the area bounded by James St. North, Murray St and Hughson St. North.

III. Guidelines for Implementation

In the process of achieving the "Statement of Intent", the following guidelines should be taken into consideration:

- (a) to identify, encourage and facilitate appropriate uses for the CN Station and lands in cooperation with the CNR;
- (b) to pursue, in particular, those types of uses appropriate to the national and provincial landmark status of the station;
- (c) to ensure that any use of the site will be sensitive to and compatible with the adjacent neighbourhoods;
- (d) to communicate with residents, property owners and advisory committees (such as LACAC, CAPIC, Urban Design, Central/Beasley Neighbourhood Plan Review Team, and Central/Beasley PRIDE HINT), as well as neighbourhood and business associations, who may be interested in the station's future use;
- (e) with respect to the CN site and its surroundings, to encourage appropriate land use designations and zoning modifications in the Beasley Neighbourhood Plan Review;
- (f) to report to the Planning and Development Committee, when warranted.

1993 August 31



CN Station Citizens
Advisory Committee
"Area of Interest"

Appendix "D" as referred to
in Section 23 of the THIRTEENTH
Report of the Planning and
Development Committee for
1993

"Whereas the Ministry of the Environment has recently distributed a land use planning interim guideline entitled "Guideline on Separation Distance Between Industrial Facilities and Sensitive Land Uses"; and

Whereas this guideline is badly flawed and needs to be reconsidered for the following reasons:

- (i) the guideline advocates unreasonable distances between industrial and sensitive land uses;**
- (ii) the Ministry has failed to provide adequate justification for these separation distances;**
- (iii) the guideline was developed without consultation with municipalities in Ontario;**
- (iv) the guideline unreasonably slants the planning process in one direction to the detriment of other, perhaps more important, planning considerations;**
- (v) the guideline treats parks a sensitive land use and prevents parks from being used as a buffer between industrial and residential land use.**

NOW THEREFORE BE IT RESOLVED THAT the Ministry of the Environment be requested to reconsider its separation distance guideline, to engage in real consultation with stakeholders including the Association of Municipalities of Ontario during the process of reconsidering the guideline and to not implement the guideline until such time as it has been reconsidered."

Resolution adopted by the Town of Lindsay, February 8, 1993

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his **SECOND** Report for 1993 and respectfully recommends:

1. That the Federal Minister of Justice seek a minimum sentence for all crimes where hatred of a person on the basis of their race, religion, nationality, ethnic origin, and sexual orientation and gender is the motivating factor in the commission of the criminal act; and in cases of hate bias crime, i.e. where hate is a motivating factor, collection of victim impact statements should be sought as a national policy and, with the agreement of the victim, be read into the court record;
2. That the Attorney General of Ontario take the necessary action to ensure that the education of the judiciary and officers of the court on hate motivated crime be conducted in the same manner as sexual assault/harassment/abuse have been for the women's community;
3. That the Attorney General of Ontario mandate crown attorneys to identify to the courts all cases where hate is considered a motivating factor in a criminal act;
4. That the Federal and Provincial Solicitor Generals establish a combined task force operating under central direction, operating with specially trained personnel that will share information nationally and internationally and pursue a highly aggressive enforcement policy against all forms of hate crimes;
5. That the Federal Minister of Justice and Solicitor General convene a series of conferences for the purpose of developing national standards to investigate, successfully prosecute, and prevent and curtail white supremacist neo-Nazi hate group activities.

1993 August 31

6. That the Ontario Minister of Citizenship amend the Human Rights Code to protect against racist, derogatory hate signs and symbols.

RESPECTFULLY SUBMITTED,

Robert M. Morrow
Mayor

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIFTEENTH** Report for 1993 and respectfully recommends:

1. That notwithstanding the City's policy of not permitting billboards on the forecourt of City Hall until the City Hall Grounds Study has been completed, that permission be given for a ticket sale gauge for the Tiger-Cat Labour Day Game to be erected.
2.
 - (a) That the City of Hamilton resolve Ontario Court General Division Action No. 23590/90 by the payment to the Plaintiffs, Mary and Frank Carpanini of the sum of \$2,000. inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court General Division Action No. 23590/90 be dismissed without costs.
3. That the City of Hamilton offer to settle Ontario Court (General Division) Action No. 16926/89 on the following terms:
 - (a) That the City pay to the Plaintiffs, Crystal and Greg Rayner, the sum of \$13,123. inclusive of all damages, interest, disbursements and costs; and,
 - (b) That the Plaintiffs, Crystal and Greg Rayner, be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action No. 16926/89 be dismissed without costs.

4.
 - (a) That the City of Hamilton offer to settle Ontario Court General Division Action No. 7324/89 by the payment to the Plaintiffs, Sharon, Richard, Gregory, Bradley and Trevor Guyatt of the amount of \$242,149.62 inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court General Division Action No. 7324/89 be dismissed without costs; and,
 - (d) That the City Solicitor be authorized and directed to pursue a claim against Royal Insurance Company for contribution of \$142,149.62 pursuant to the terms of the City's policy of automobile insurance with the Royal Insurance Company. Further, that the City Solicitor be authorized to take all steps necessary to pursue this claim including the institution of Court action against the Royal Insurance Company.
5. That the following course of action be implemented to lessen the impact of the Ontario Government's Social Contract on the Emergency Service and Support Operations of the Hamilton Fire Department:
 - (a) That payment for five of the remaining twelve 1993 statutory holidays, be eliminated for Fire Suppression (429 personnel) and Communications Division (10 personnel). Other venues/opportunities as may accrue from now until the end of 1993 may be utilized to make up an extra day for the total of six required days off without pay. (These personnel who work an average 12 hour shift, receive lieu days for each statutory or proclaimed holiday and those remaining until the end of the year are Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day and Boxing Day); and,
 - (b) That the remaining 31 members of the Fire Prevention, Training, Mechanical and Administration Division, who work a normal 8 hour shift, be required to take 8 scheduled days off without pay, since they are not required to work on the statutory or proclaimed holidays for which they are paid.

(c) That the Commissioner of Human Resources reaffirm to the Fire Fighters Association our willingness to negotiate permanent alternatives which will achieve the targeted 1993 to 1996 savings. **ADDED AND CARRIED.**

6. That as referred to in Section 25 of the Eleventh Report for 1993 of the Transport and Environment Committee, the City's share of services under the Modified Subdivision Agreement with the owner of certain lands on Bow Valley Drive at a cost of \$1,410.27, be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".
7. That as referred to in Section 20 of the Eleventh Report for 1993 of the Transport and Environment Committee, the City Solicitor prepare an appropriate By-Law to construct an independent concrete sidewalk on the east side of Upper Ottawa Street from Stone Church Road to approximately 275m Northerly (PW93.1038) under the Local Improvement Act at an estimated gross cost of \$35,500., with the City's share of \$13,072. to be financed from the Reserve for Capital Projects (Account Centre No. CH 00203) and the balance of \$22,428. being the Owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$22,428. for a term not to exceed 20 years for the above project.
8. That as referred to in Section 21 of the Eleventh Report for 1993 of the Transport and Environment Committee, the City Solicitor prepare an appropriate By-Law to construct a concrete curb on the North side of Rennie Street from Waterloo Street to approximately 33.8m Easterly (East Limit of 777 Rennie) and the construction of a concrete curb and sidewalk on the South Side of Rennie Street from approximately 12.2m East of Waterloo Street to approximately 12.2m Easterly (frontage of 776 Rennie) (PW 93.1038) under the Local Improvement Act at an estimated gross cost of \$8,700., with the City's share of \$5,446. to be financed from the Reserve for Capital Projects (Account Centre No. CH 00203) and the balance of \$3,254. being the Owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$3,254. for a term not to exceed 20 years for the above project.

9. That as referred to in Section 22 of the Eleventh Report for 1993 of the Transport and Environment Committee, the City Solicitor prepare an appropriate By-Law to construct an alley first north of Barton Street East from Tragina Avenue North to Weir Street North (east-west portion only) (PW93.1038) under the Local Improvement Act at an estimated gross cost of \$30,400., with the City's share of \$25,175. to be financed from the Reserve for Capital Projects (Account Centre No. CH 00203) and the balance of \$5,225. being the Owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$5,225. for a term not to exceed 20 years for the above project.
10. That City Council's approval in 1990 March with respect to the financing of the estimated \$429,000. cost of the "Escarpment Stabilization Project", wherein part of the financing was to be shared between Committees as noted in Section 1.(b) (B) of the Sixth Report for 1990 of the Parks and Recreation Committee which reads:

"the City Treasurer be authorized to collect funds on approval of the cost sharing arrangements between the Parks and Recreation Committee (City), Transport and Environment Committee (City) and the Engineering Services Committee (Region) in equal shares of \$143,000. as estimated.",

be amended to delete the reference to the City Committees sharing costs, in that the entire amount was already funded in 1990 from the Reserve for Capital Projects, and the sharing of costs between City Committees would serve no useful purpose. The Region's share of one-third of the cost has been determined and billed.
11. That the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval to reallocate the excess debenture proceeds in the total amount of \$817,514.97 as follows:

(a) Transfer from:

<u>Description</u>	<u>O.M.B. No. & Date</u>	<u>City By-Law No. & Date</u>	<u>Excess Debenture Proceeds</u>
(i) Chedoke Golf Course Parking Lot	E890865 27-Jul-89	89-252 26-Sep-89	\$143,600.00
(ii) Pump Truck - Fire Station at Limeridge & Upper Ottawa	E860628 19-Nov-86	87-001 13-Jan-87	1,139.69
(iii) Fire Station - Limeridge & Upper Ottawa	E81695 15-Feb-88	88-090 12-Apr-88	9,972.98
(iv) Land Acquisition - Arena Parking	E840142 11-Apr-84	85-052 26-Mar-85	269,217.19
(v) Scott Park Arena - Replace Surface	E860611 30-Jul-86	86-241 26-Aug-86	206,925.27
(vi) Downtown Action Plan - Phase 2	E840584 19-Dec-85	86-075 11-Feb-86	1,617.94
(vii) P.R.I.D.E. - Crown Point West/Stipley	E871261 7-Dec-87	88-023 26-Jan-88	13,316.89
(viii) Road Access - Bow Valley to Queenston	E860858 16-Mar-89	89-145 9-May-89	107,124.22
(ix) Roads/Curbs/Walks - Greenhill Avenue	E881255 5-Oct-88	88-273 28-Nov-88	<u>64,600.79</u>
			<u>\$817,514.97</u>

(b) Transfer to:

<u>Description</u>	<u>O.M.B. No. & Date</u>	<u>City By-Law No. & Date</u>	<u>Excess Debenture Proceeds</u>
(i) Major Maintenance to Civic Buildings (1992)	E920486 26-Jan-92	92-215 25-Aug-92	\$300,000.00
(ii) High Pressure Sodium Street Lighting Conversion Program - Phase 2	E920430 26-Jan-92	92-174 30-Jun-92	<u>517,514.97</u>
			<u>\$817,514.97</u>

12. That approval be given to the request of the Hamilton District Council of Women to use the following City Hall facilities on the occasion of its Centennial project in 1993 November:
 - (a) Council Chamber and annex on Wednesday, 1993 November 17 from 12:00 noon until 2:00 p.m. for a Centennial programme and refreshments; and,
 - (b) Second floor foyer area from 1993 Monday, November 15 to Thursday, November 18 for an historical display.
13. That approval be given to the action taken by the Acting City Clerk in authorizing Sheila Copps, M.P. for Hamilton East, to use the Council Chamber on Wednesday, 1993 August 25 at 7:00 p.m. for a presentation ceremony to recipients being honoured with Canada 125 Commemorative Medals.
14.
 - (a) That approval be given to the request of the Canadian Christian Festival IV to use the City Hall forecourt on Friday and Saturday, 1994 June 24 and 25 from 9:00 a.m. - 9:00 p.m. for a concert in addition to a rallying point for the March for Jesus as part of the Canadian Christian Festival IV Programming in 1994; and,
 - (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
15.
 - (a) That approval be given to the request of the Council on Suicide Prevention, Hamilton & District Incorporated to use the Forecourt and related facilities for a Chili Cook-Off on Thursday, 1993 October 21, on Credit Union Day, between 9:00 a.m. and 1:00 p.m. as a fundraiser for its organization; and,
 - (b) That the City Clerk be authorized to approve of a similar use in future years provided it does not conflict with any other activity.
16. That approval be given to the request of the Spiritual Assembly of the Baha'is of Hamilton to use the City Hall forecourt on Friday, 1993 September 24 from 9:00 a.m. to 5:00 p.m. to set up an information table with regard to four meetings which will be sponsored by the Baha'i Community at the Hamilton Public Library.

17. That the Liquor Licence Board of Ontario be advised that the City of Hamilton is aware of the Watermelon Festival being held 1993 September 18, by the Westdale B.I.A. and does not object to the extension of the existing Liquor Licence of the New Village Restaurant at 988 King Street West where liquor and beer will be served in front of said premises from 11:00 a.m. to 11:00 p.m. in conjunction with this event.
18. That a purchase order be issued to Altruck Transportation Services, Hamilton, in the amount of \$71,869.25 including all applicable taxes, for the replacement of One 35,000 GVW Cab and Chassis with Dump Body installed, Unit 9210, for Fleet Services being the lowest of nine tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through Reserve for Mobile Equipment Account No. CH5X503 00101.
19. That the listing of Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1993 August 18, attached herewith and marked Appendix "A", be approved.
20. That the contract settlement of the Hand Association of Sewer, Watermain & Road Contractors and the Labourer's International Union of North America, Local 837 be received pursuant to the Fair Wage Policy of the City of Hamilton.
21. (a) That a joint City and Regional Task Force be established to review issues concerning Roomers and Boarders; and,

(b) That the membership include the following:
 - (i) City and Regional Department Representatives:
 - (1.) Department of Public Health - Inspections Division
 - (2.) Department of Social Services - Policy and Income Maintenance Division
 - (3.) Building Department
 - (4.) Licensing Department
 - (5.) Fire Department
 - (6.) Planning Department
 - (7.) Hamilton-Wentworth Police Services

(ii) Community Representatives:

- (1.) Two Rooming House Tenants
- (2.) Member of the Food and Shelter Committee
- (3.) Member of the Roomers and Boarders Committee
- (4.) Member of Housing Help Centre/THIAC
- (5.) A Landlord
- (6.) Member of McQueston Legal Clinic
- (7.) Community Representative At-Large
- (8.) Representative from the Health Rights Coalition and United Disabled Consumers

(iii) Municipal Representatives:

- (1.) One Representative of Finance and Administration Committee - City of Hamilton
- (2.) One Representative of Health and Social Services Committee - Region of Hamilton-Wentworth

(c) That the City Clerk liaise with the Regional Clerk on the procedures to be followed on the selection and appointment of the above-noted representatives; and,

(d) That the Task Force attempt to report back to the appropriate committees and Councils within three months.

22. (a) That a grant in the amount of \$500. be approved for the Hamilton Canadian Club to purchase a bronze commemorative plaque to be erected on the Pigott Building in recognition of the building being the location of the first meeting in 1893 of the Canadian Club; and,

(b) That funding for this expenditure be charged to the General Grants Account.

23. (a) That the City of Hamilton lease 1,900 square feet of the mall level portion of Copps Coliseum to 752413 Ontario Limited and Champions Fitness Ltd. (Gene Kay and Michael Watson), carrying on business as Champions Family Fitness Centres, subject to the following terms and conditions:

Property: North-East quadrant of retail mall level
Copp's Coliseum, 101 York Boulevard

Area: 1,900 square feet

- (i) Term:
- (1.) Ten (10) Years
Commencing 1993 October 1
Terminating 2003 September 30
 - (2.) If at any time during the lease the Lessor requires the leased space for use as part of a N.H.L. hockey franchise, then upon ninety (90) days written notice, this lease will be automatically terminated.
 - (3.) If the Lessor exercises its rights under paragraph (2.) above, then the Lessor will reimburse the Lessee for the costs of the tenant improvements based on a sliding scale reduction of 10% of said cost for every year of the lease that has been completed. Prior to the commencement of the lease, the estimate of the cost of the tenant improvements will be provided by the Lessee and incorporated into the lease agreement.
- (ii) Rental Rate:
- (1.) For the first five (5) years \$4. per square foot (NET), \$7,600. annually, \$633.33 per month, plus G.S.T.;
 - (2.) Second five (5) years rental rate to be negotiated six (6) months prior to end of first five (5) year term;
 - (3.) First and last month's rent to be received prior to execution of lease.

- (iii) Operating Costs: Lessee to pay all operating costs associated with leased space (taxes, hydro, heat and air).
- (iv) Option to Renew: At the sole discretion of the Lessor, a five (5) year renewal will be granted if requested by the Lessee, provided all terms of the lease being complied with, and six (6) months prior to the expiry of the initial term, the new rental rate is agreed upon, other terms and conditions (except no renewal clause) to remain the same.
- (v) Tenant Improvements: The Lessee is responsible, at its own cost,
- (1.) to install all tenant improvements;
 - (2.) to construct an opening in the wall between Lloyd D. Jackson Square and Copps Coliseum; and
 - (3.) to construct a plenum (if necessary) along the north side of the leased space, in order to draw air from the common corridor of the retail mall level of Copps Coliseum.

All construction drawings (meeting all code requirements) must be submitted to and approved by the Lessor prior to construction.

All work to be carried out in a good workmanlike manner meeting all code requirements.

The first six (6) months are a free rent period to assist in Tenant's construction costs associated with the renovations required.

- (vi) Special Conditions:
- (1.) That Second Phase Civic Square Limited, Lessee of Phase II, Civic Square,
 - (a) grant 752413 Ontario Limited and Champions Fitness Ltd. its approval to the alterations for the opening in the exterior wall of the premises of Second Phase Civic Square to be carried out by 752413 Ontario Limited and Champions Fitness Ltd.; and
 - (b) confirm to the City that 752413 Ontario Limited and Champions Fitness Ltd. has fulfilled its requirements regarding the alterations.
 - (2.) That the tenant be required to file with the City during construction of the alterations, a Letter of Credit for 100% of the value of the alterations to the wall of the Coliseum.
 - (3.) That the Lessee, prior to the end of the term and at its own cost, shall (1) remove all alterations, decorations, additions or improvements in or on the leased premises as the Lessor may require to be removed, and (2) restore the opening between the leased premises and Jackson Square to its original condition.
 - (4.) That the proposed lease with 752413 Ontario Limited and Champions Fitness Ltd. shall also terminate prior to its expiry in the event that its lease of adjacent

premises from Second Phase Civic Square Limited expires or terminates early.

(5.) That the Lessee shall not have a right to assign or sublet this lease unless the City grants its approval and the third party enters into a lease assumption agreement satisfactory to the City.

(6.) Mr. Gene Kay and Mr. Michael Watson will personally guarantee the lease and its terms for the first three (3) years of the lease.

(b) That the Director of Property, Co-ordinator, Lloyd D. Jackson Square, be directed to apply to the Minister of Municipal Affairs and to C.M.H.C. for approval of the proposed lease; and,

(c) That the Mayor and City Clerk be authorized and directed to execute the lease and related agreements in a form satisfactory to the Director of Property, H.E.C.F.I, and the City Solicitor.

24. (a) (i) That an Option to Purchase, executed by Hamco Heating & Cooling Ltd., formerly Hamilton Sales Ltd. (Lawrence E. Vasilak, President), on 1993 August 4, and scheduled for closing on or before 1993 October 22, for the purchase of a parcel of vacant land situated at 11 Ferguson Avenue North, more particularly described as being composed of Lot 31, Daniel Kelly Survey, Registered Plan No. 38, comprising 470.68 square metres (5,066.6 square feet) more or less, with frontage along the west side of Ferguson Avenue North of 11.0886 metres (36.38 feet) more or less, having a depth along the northerly and southerly boundaries of 42.672 metres (140.0 feet) more or less, and having a rear measurement of 10.973 metres (36.0 feet) more or less, be approved and completed and the purchase price of \$111,465. be charged to Account No. CF 5698 909245002 (Land Acquisition - for Parking Purposes - General); and,

- (ii) That the Option to Purchase be subject to the following conditions:
 - (1.) The Purchaser satisfying itself on or before 1993 August 24, that soil tests are conducted satisfactory to it; and,
 - (2.) That the final purchase price shall be calculated at a rate of \$22. for each square foot of land purchased as defined by the aforesaid Registered Reference Plan. This may result in an upward or downward adjustment to the approximate purchase price of \$111,465; and,
 - (3.) That this Option to Purchase Agreement is subject to the approval of the Board of Directors of the Hamilton Parking Authority and City Council on or before 1993 September 7.
 - (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
25. That with respect to the use of Committee Rooms at City Hall, that priority be given to activities associated with or sponsored by City Council, a Civic Department or Committee of Council. **AMENDED AND CARRIED.**
26. That the City of Hamilton adopt a policy of not dealing with resolutions received from municipalities outside of the Hamilton-Wentworth Region, but rather referring them to the appropriate Federal or Provincial Association for its collective deliberations, as follows:
- (a) That resolutions received for endorsement from municipalities outside of the Hamilton-Wentworth Region be acknowledged by the City Clerk with the advice that resolutions received from outside of the Hamilton Wentworth Region are referred to the appropriate Federal or Provincial Association for disposition; and,
 - (b) That the City Clerk refer resolutions dealing with Provincial matters to the Association of Municipalities of Ontario for consideration; and,

- (c) That the City Clerk refer resolutions dealing with matters of a national or international significance to the Federation of Canadian municipalities for consideration; and,
 - (d) That resolutions received from municipalities within the Hamilton-Wentworth Region be referred by the City Clerk to the appropriate Committee for consideration; and,
 - (e) That resolutions initiated by Hamilton City Council be referred to the appropriate Minister(s) of the Senior Government(s) involved, with copies being sent to the relevant municipal association(s), and to the local members of the Federal or Provincial Parliaments, where appropriate; and,
 - (f) That all resolutions received from municipalities outside of the Hamilton-Wentworth Region be forwarded to members of City Council for information.
27. (a) That as referred to in Section 15 of the Fifteenth Report for 1993 of the Parks and Recreation Committee, the added net cost to complete the construction of a new Club House for the Hamilton Tennis Club due to retendering, in the amount of \$111,000., be financed from the Reserve for Capital Projects, Centre 00203; and,
- (b) That the total estimated gross cost of the project be revised to \$486,000. to reflect the added cost.
28. (a) That vehicle 6021, a 1986 GMC Versalift, Telescopic Aerial Device be replaced at an estimated cost of \$70,000. and financed from the Reserve for Replacement of Mobile Equipment, Centre 00101; and,
- (b) That a 1983 GMC Stake Dump, unit 9221, and two 1982 Ford 340 Tractors, units 9548 and 9549, which would have been replaced at an estimated cost of \$80,000., not be replaced at this time.

1993 August 31

29. That leave be granted to introduce the following Bill:

Bill H-51 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1993 August 26**

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Mark Magdic	I	Motor Mechanic I (T2)	Fleet Services	Replacing Mr. J. Bolonzon - deceased May 31/93	\$44,784.48	July 05/93
Ms. Debbie Sanche	I	Manager of Support Services (A)	Information Systems	Replacing Ms. K. Goodfellow - resigned June 18/93		
Ms. Roberta Viclin	I	Parks Draftsperson (16)	Public Works	New Position Council Approved November 24/92 Restructuring of Culture & Recreation and public Works	\$34,708.56 to \$39,443.04	June 28/93

Appendix "A" referred
to in Section 19 of the
FIFTEENTH Report of the
Finance and Administration
Committee for 1993.

Prepared August 18/93

Status
Internal - I
External - E

1993 August 31

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Scott Abbott	I	Gardener II (D-14)	Public Works	Replacing Mr. M. Andrechek - promoted, Dec. 07/92 D. Biggs terminated September 25/92	\$36,052.64	Aug. 16/93
Mr. Michael Hunter	I	Forester II (D-18)	Public Works	Replacing Mr. R. Canfor - promoted, March 08/93 New Position Council Approved January 28/92	\$37,510.72	July 19/93
Mr. Michael Kams	I	Motor Mechanic III (D-20)	Public Works	Replacing Mr. M. Magdic - promoted, July 05/93 Mr. J. Bolonzon deceased May 31/93	\$38,240.80	Aug. 02/93

Prepared August 18/93

Status

Internal - I

External - E

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Scott Bowman	Gardener III	Public Works	Resigned	1 year, 3 months	Aug. 06/93
Mr. Antonio Cosantini	Concrete Finisher	Public Works	Retired	8 years, 9 months	Aug. 31/93
Mr. Charles Hewitt	Building Inspector	Building	Terminated	19 yrs, 11 months	July 19/93
Ms. Susanne Markle	Record's Clerk	City Clerk's	Resigned	5 years, 5 months	Aug. 08/93

Prepared August 18/93

Glossary of Terms

Terminated - long term disability

- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

1993 August 31

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SIXTEENTH** Report for 1993 and respectfully recommends:

1. (a) That Staff involved in the drafting of, or contracting out for, General and Engineering Specifications on City Projects ensure that wherever possible the needs of the Municipality are met and the benefits to the community are optimized; and,
- (b) That prior to the implementation of the "municipal construction contracts-local labour forces" policy, input and suggestions be solicited from the appropriate local agencies and groups; and,
- (c) That staff be directed to report back on the issue of other municipalities which have discriminated against the hiring of the local construction industry due to restrictive policies.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Cops, Wilson, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Agostino. -1.

CARRIED.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

Kevin Christenson
Acting Secretary
1993 August 31

1993 September 21

Minutes of the Special City Council Meeting
Tuesday, 1993 September 21
6:45 o'clock p.m.
Council Chambers

Present: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the Report of the Finance and Administration Committee with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - SEVENTEENTH REPORT Early Retirement Program
--

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Report of the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

ADOPTION OF BILLS

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

H-52, A-53.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Mayor Morrow in the chair. (second reading).

A-52, A-53.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

1993 September 21

* * * * *

It was moved by Alderman Cooke seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

H-52, H-53.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

H-52, H-53.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

1993 September 21

* * * * *

City Council then adjourned at 6:50 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

J.J. Schatz
City Clerk

1993 September 21

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its SEVENTEENTH Report for 1993 and respectfully recommends:

1. (a) That the Early Retirement Plan for the City of Hamilton be approved and it be forwarded to the Library, H.E.C.F.I. and Parking Authority Boards for their approval.
- (b) That the City enter into a Supplementary Agreement under OMERS Type 7 to provide unreduced and improved reduced pension benefits to employees under the Early Retirement Plan.
- (c) That the attached By-law authorizing the City to enter into a Type 7 Agreement with OMERS to provide downsizing benefits under the Ontario Municipal Employees Retirement System be approved and that the Mayor and City Clerk be authorized to execute the agreement.
- (d) That no external hiring to refill vacant positions will occur without prior Council Approval.
- (e) That the Treasurer report back on the source of funding for the early retirement incentive after the number of employees electing to retire early is known.
- (f) That the Commissioner of Human Resources be authorized and directed to initiate an implementation strategy including the scheduling of retirements and the retraining and redeployment of current employees and to consult with representatives of unionized and non-unionized employees.
- (g) That the Treasurer be authorized to enter into a cooperative arrangement with the Region of Hamilton-Wentworth to obtain financial planning services in support of the early retirement plan at an upset cost to the City of \$25,000.00.

2. That leave be granted to introduce the following Bills:

- (a) Bill H-52 A By-law to Authorize Supplementary Downsizing Benefits under the Ontario Municipal Employees Retirement System ("SYSTEM").
- (b) Bill H-53 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1993 September 21**

URBAN/MUNICIPAL
CAL ON HBL AOS
M21
1993

1993 September 28

Minutes of Hamilton City Council
1993 September 28
7:30 o'clock p.m.
Council Chamber

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps,
Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson,
Ross, D'Amico.

Mayor R. M. Morrow called the meeting to order.

URBAN M.
OCT 1993
GOVERNMENT DOCUMENTS

* * * * *

The Council meeting commenced with the playing of the National Anthem.

* * * * *

Father Mike Myroniuk, Holy Family Roman Catholic Church led Council in prayer.

* * * * *

Mayor R. M. Morrow introduced a delegation of officials from the City of Fukuyama, Japan, Hamilton's twin city.

* * * * *

Mayor R. M. Morrow apprised Council on his declaration of the State of Emergency for the cleanup of the chemicals discovered at the abandoned laboratory at 363 Wellington Street North. He explained that in accordance with the Emergency Plan Act, he had notified the Solicitor General that he was removing the Declaration of an Emergency.

* * * * *

Mayor R. M. Morrow proclaimed the following:

- (a) Ontario Home Week - September 26th to October 2nd, 1993
- (b) Waste Reduction Week - October 4th, 1993
- (c) Celiac Week - October 3rd to 9th, 1993

* * * * *

The minutes of the regular meeting held 1993 August 31 and the minutes of the special meeting held 1993 September 21 were adopted as circulated.

CORRESPONDENCE

1. Application dated 1993 September 16 from Ned Janjic and Gerda Kugler, Dundas, Ontario for a further modification to the established "H" (Community Shopping and Commercial, etc.) District regulations for property located at Nos. 295-303 York Blvd., Hamilton, Ontario.

Received.

2. Letter dated 1993 September 27 from Mr. F. Zahed requesting reconsideration of his appeal for reinstatement on the Taxi Cab Priority List which is recommended for denial in the Fourth Report of the Licensing Committee.

Received.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, the Finance and Administration Committee and the Nominating Committee be now considered in Committee of the Whole with Alderman Drury in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - TWELFTH REPORT

PARKS AND RECREATION COMMITTEE - SIXTEENTH REPORT

PLANNING AND DEVELOPMENT COMMITTEE - FOURTEENTH REPORT

Section 10 Re: Zoning Application 93-20 - M. Trikas for property located at 952-954 Cannon St.

It was moved by Alderman Eisenberger and seconded by Alderman D'Amico that Section 10 of the Fourteenth Report of the Planning and Development Committee for 1993 be amended by deleting the words:

from sub-section (d) ii. - "a video store" and
from sub-section (d) iii. - "a restaurant or refreshment room"
and by renumbering (d) iii. to (d) iv. and (d) iv. to (d) v. in order to add a new section (d) iii. as follows:

"(d) iii. Notwithstanding section 13D(1)(B)(iv) a restaurant or refreshment room without dancing or other entertainment except music shall be permitted within the existing building only, with a maximum seating capacity of 25 seats".

CARRIED.

LICENSING COMMITTEE - FOURTH REPORT

FINANCE AND ADMINISTRATION COMMITTEE - EIGHTEENTH REPORT

Section 1 Re: Amendment to By-law 84-191 to permit the keeping of Vietnamese Pot Bellied Pigs as domestic pets

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Anderson, D'Amico. -11.

NAYS: Aldermen Wilson, Jackson, Merling, Ross. -4. **CARRIED.**

* * * * *

Section 20 Re: Conducting Halloween activities on Saturday instead of Sunday for 1993

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Jackson, Merling, Anderson, Ross. - 10.

NAYS: Aldermen Agro, Copps, Wilson, Agostino, Eisenberger, D'Amico. -6. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - NINETEENTH REPORT

NOMINATING COMMITTEE - THIRD REPORT

ACTING MAYOR

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman B. Charters be appointed Acting Mayor for the month of October, 1993. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, the Finance and Administration Committee, and the Nominating Committee be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-69, A-70, A-71, A-72, A-73, A-74, A-75, A-76.
C-73.
H-54, H-55.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0. **CARRIED.**

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Drury in the chair. (second reading).

A-69, A-70, A-71, A-72, A-73, A-74, A-75, A-76.
C-73.
H-54, H-55.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-69, A-70, A-71, A-72, A-73, A-74, A-75, A-76.
C-73.
H-54, H-55.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.

* * * * *

1993 September 28

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-69, A-70, A-71, A-72, A-73, A-74, A-75, A-76.

C-73.

H-54, H-55.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:50 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz, City Clerk
1993 September 28

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **TWELFTH** Report for 1993 and respectfully recommends:

1. (a) That the existing "Permit Parking" regulation on the west side of Mary Street commencing at a point 73 feet south of Brock Street and extending to a point 22 feet southerly therefrom, be removed; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
2. (a) That the existing "No Parking" regulation on the north side of Harrison Avenue between Kenilworth Avenue North and Harmony Avenue be switched to the south side of the street; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
3. (a) That the existing "No Stopping, Wheelchair Loading Only" regulation on the west side of Cheever Street commencing at a point 245 feet south of Birge Street and extending to a point 20 feet southerly therefrom be revised such that it will be in effect from 8:00 a.m. to 12:00 a.m. (midnight); and
(b) That the City Traffic By-law 89-72 be amended accordingly.
4. (a) That the existing "Taxi Stand" regulation on the north side of Rebecca Street commencing at a point 108 feet east of Ferguson Avenue North and extending to a point 55 feet easterly therefrom be replaced with two one hour parking meters.
(b) That the City Traffic By-law 89-72 be amended accordingly.
5. (a) That the existing "No Parking, 9:00 a.m. to 12:00 p.m., Monday to Friday" regulation on the south side of Kerr Street between East 44th Street and East 45th Street be removed; and

- (b) That the existing "No Parking, 9:00 a.m. to 12:00 p.m., Monday to Friday" regulation on the north side of Kerr Street between East 44th Street and Greenmeadow Road be removed; and
 - (c) That the existing "No Parking, 9:00 a.m. to 12:00 p.m., Monday to Friday" regulation on the west side of East 45th Street between Kerr Street and Brucedale Avenue East be removed; and
 - (d) That the City Traffic By-law 89-72 be amended accordingly.
- 6.
- (a) That the existing 48 foot "No Parking" regulation on the north side of Herkimer Street, immediately west of Kent Street, be replaced with a "No Stopping" regulation, commencing at Kent Street and extending to a point 68 feet westerly therefrom; and
 - (b) That the existing "No Parking" regulation on the south side of Herkimer Street, immediately west of Kent Street, be replaced with a "No Stopping" regulation commencing at Kent Street and extending to a point 68 feet westerly therefrom; and
 - (c) That the City Traffic By-law 89-72 be amended accordingly.
- 7.
- (a) That the existing "No Stopping Anytime" regulation on the east side of Talbot Avenue commencing at Melvin Avenue and extending to a point 127 feet northerly therefrom be extended, such that the regulation extends to a point 163 feet north of Melvin Avenue; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
- 8.
- (a) That a "Permit Parking" regulation be implemented on the south and east sides of Bay Street North between Burlington Street West and the east property line of No. 512 1/2 Bay Street North; and
 - (b) That a "Permit Parking" regulation be implemented on both sides of Wood Street between Burlington Street West and Bay Street North; and

- (c) That the Director of Traffic Services be authorized to issue on the south side of Bay Street North between Burlington Street West and Wood Street, upon request, two parking permits per residence to Nos. 74, 76, 80 and 82 Burlington Street West, and No. 492 Bay Street North, and one permit to No. 84 Burlington Street West, to a maximum of eleven permits; and
 - (d) That the Director of Traffic Services be authorized to issue on the west side of Wood Street between Burlington Street West and Bay Street North, upon request, two parking permits per residence to No. 61 Wood Street and No. 502 Bay Street North, and one permit to No. 70 Burlington Street West, to a maximum of five permits; and
 - (e) That the Director of Traffic Services be authorized to issue on the east side of Wood Street between Burlington Street West and Bay Street North, upon request, two parking permits per residence to No. 68 Wood Street and No. 506 Bay Street North to a maximum of four permits; and
 - (f) That the Director of Traffic Services be authorized to issue on the south side of Bay Street North between Wood Street and the east property line of No. 512 1/2 Bay Street North, upon request, one parking permit per residence to Nos. 508 and 512 1/2 Bay Street North and two parking permits to No. 508 Bay Street North to a maximum of four permits; and
 - (g) That the City Traffic By-law 89-72 be amended accordingly.
- 9.
- (a) That the existing "Alternate Side Parking" regulation on Crosthwaite Avenue North between Britannia Avenue and Cannon Street East be replaced with a "No Parking" regulation on the west side and a "Permit Parking" regulation on the east side; and
 - (b) That the Director of Traffic Services be authorized to issue one parking permit per residence to Nos. 165, 166, 170 and 172 Crosthwaite Avenue North and No. 264 Britannia Avenue and the additional permit (to a maximum of six) on a first come first served basis; and
 - (c) That the City Traffic By-law 89-72 be amended accordingly.

10. (a) That the existing "Alternate Side Parking" regulation on the north leg of Montmorency Drive from end to end be replaced with a "No Parking" regulation on the south side; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
11. (a) That a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation be implemented on the east side of Spring Street between Hunter Street East and Jackson Street East; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
12. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first six eligible applicants residing in the apartment building at No. 611 Concession Street.
13. (a) That a "Permit Parking" regulation be implemented on the east side of Bond Street South commencing at a point 52 feet south of Marion Avenue and extending to a point 22 feet southerly therefrom; and
(b) That the Director of Traffic Services be authorized to issue one parking permit to Cornelia Prins, No. 95 Bond Street South; and
(c) That the City Traffic By-law 89-72 be amended accordingly.
14. (a) That the existing "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the east side of East 27th Street between Halam Avenue and Mackenzie Road be replaced by a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
15. (a) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Whitney Avenue which commences 117 feet west of Mericourt Road and extends to a point 137 feet westerly therefrom, be changed to a "One Hour Parking Time Limit, 8:00 a.m. to 11:00 p.m., Monday to Saturday" regulation; and

- (b) That the City Traffic By-law 89-72 be amended accordingly.
- 16.
 - (a) That northbound traffic on Glen Forest Drive be required to stop for eastbound and westbound traffic on Kingswood Drive; and
 - (b) That eastbound traffic on Glencannon Drive be required to stop for northbound and southbound traffic on Glen Forest Drive; and
 - (c) That three-way stop control be implemented at the intersection of Glen Forest Drive and Golfcrest Road; and
 - (d) That the City Traffic By-law 89-72 be amended accordingly.
 - 17.
 - (a) That westbound traffic on Southampton Drive be required to stop for northbound and southbound traffic on Deerborn Drive; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
 - 18.
 - (a) That northbound and southbound traffic on Glendale Avenue North be required to stop for eastbound traffic on Morris Avenue.
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
 - 19.
 - (a) That southbound traffic on Norma Jean Avenue be required to stop for eastbound and westbound traffic on Eaglewood Drive; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
 - 20.
 - (a) That northbound and southbound traffic on Eleanor Avenue be required to stop for eastbound and westbound traffic on Dulgaren Street; and
 - (b) That northbound and southbound traffic on Eleanor Avenue be required to stop for eastbound and westbound traffic on Brenda Street; and
 - (c) That the City Traffic By-law 89-72 be amended accordingly.

21.
 - (a) That a "No Parking" regulation be implemented on the south and west sides of Solomon Crescent commencing at a point 126 feet east of Jamie-Ann Court and extending to a point 180 feet southeasterly therefrom; and
 - (b) That westbound traffic on Solomon Crescent (north leg) be required to stop for northbound and southbound traffic on Solomon Crescent (west leg); and
 - (c) That northbound traffic on Aries Court be required to stop for eastbound and westbound traffic on Solomon Crescent; and
 - (d) That the City Traffic By-law 89-72 be amended accordingly.
22. That the application of 414028 Ontario Limited to lease a portion of the boulevard of Canada Street adjacent to Nos. 106 and 108 Canada Street be approved, provided that:
 - (a) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is \$59.57 per space per year for the first two spaces and \$29.79 for any additional spaces up to ten) plus taxes, if any, in addition to the \$10. encroachment insurance charge approved by the City Council on 1984 February 14.
 - (b) the owner pays a one time \$50. registration fee, as approved by the City Council on 1986 January 14.
 - (c) the owner pays a one time \$191.24 (including G.S.T.) processing fee, as approved by the City Council on 1988 January 12.
 - (d) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes.
 - (e) the driveway approach, parking area and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.

- (f) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- 23.
- (a) That an Offer to Purchase, executed by Regional Officials on 1993 August 25, and scheduled for closing on or before 1993 November 8, for the purchase by the Region of the lands composed of part of Lot 10, Concession 7, formerly in the geographic Township of Barton, now in the City of Hamilton, shown as Part 3 on Plan 62R-12601, containing 1,343.8 square metres (0.332 acres) more or less, be approved and completed and the funds derived from this sale of \$33,200. be credited to Account No. CH4X501 00201 (Reserve Fund - Acquisition of Parklands). Subject property is located on the east side of Upper Wentworth Street, south of Limeridge Road East and forms part of T. B. McQuesten Park.
 - (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.
- 24.
- (a) That an Offer to Purchase, duly executed by the abutting homeowners, Terry Grant Oikawa and Carol Anne Oikawa, on 1993 August 17, and scheduled to close within thirty (30) days of the completion of the conditions as set out in the Agreement, but in any event no later than 1995 October 5, for the purchase of the lands described as part of the alley lying south of Lots 221, 222 and 223 in the block bounded by Brunswick, Barton and Osborne Streets and Melvin Avenue, Registered Plan 593 (Centennial Park Survey), more particularly described as having a width of 1.524 metres (5.0 feet) more or less, by a length of 10.668 metres (35.0 feet) more or less, and comprising a total area of 16.257 square metres (175.0 square feet) more or less, designated as Part 1, on Reference Plan 62R-11618, and lying directly south of municipal address 2054 Barton Street East, be approved and completed and the funds derived from this sale of \$1. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
 - (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

25. (a) That an Offer to Purchase, duly executed by the abutting homeowner, Anne Callen Geeling, on 1993 August 17, and scheduled to close within thirty (30) days of the completion of the conditions as set out in the Agreement, but in any event no later than 1995 October 5, for the purchase of the lands described as part of the alley lying south of Lots 221, 222 and 223 in the block bounded by Brunswick, Barton and Osborne Streets and Melvin Avenue, Registered Plan 593 (Centennial Park Survey), more particularly described as having a width of 1.524 metres (5.0 feet) more or less, by a length of 10.668 metres (35.0 feet) more or less, and comprising a total area of 16.257 square metres (175.0 square feet) more or less, designated as Part 5, on Reference Plan 62R-11618, and lying directly south of municipal address 2062 Barton Street East, be approved and completed and the funds derived from this sale of \$1. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
26. (a) That an Offer to Purchase, duly executed by the abutting homeowners, Michelle Marie Alderson and Sherry Dawn Alderson Williston, on 1993 August 13, and scheduled to close within thirty (30) days of the completion of the conditions as set out in the Agreement, but in any event no later than 1995 October 5, for the purchase of the lands described as part of the alley lying south of Lots 221, 222 and 223 in the block bounded by Brunswick, Barton and Osborne Streets and Melvin Avenue, Registered Plan 593 (Centennial Park Survey), more particularly described as having a width of 1.524 metres (5.0 feet) more or less, by a combined length of 32.004 metres (105.0 feet) more or less, and comprising a total area of 48.772 square metres (525.0 square feet) more or less, designated as Parts 2, 4 and 6 on Reference Plan 62R-11618, and lying directly north of municipal address 334 Brunswick Street, be approved and completed, and the funds derived from this sale of \$1. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

27. (a) That an Offer to Purchase, duly executed by Bruce Redford Roussey, on 1993 August 30, and scheduled to close thirty (30) days after the enactment and registration of a by-law to stop up, close and sell the public walkway extending from the east side of Janet Court to the western extremity of Janet Court, for the lands composed of all of Block 43, Plan 62M-575, more particularly described as having a perpendicular width of 4.5 metres (14.76 feet) more or less, having a frontage of 4.714 metres (15.46 feet) more or less, along the easterly limit of Janet Court between municipal addresses 71 and 75 Janet Court, by a depth of 28.071 metres (92.096 feet) more or less, along the northerly boundary and 29.394 metres (96.43 feet) more or less, along the southerly boundary, and comprising a total area of 128.7 square metres (1,385.36 square feet) more or less, save and except the most easterly 0.3048 metres (1 foot), be approved and completed, and the funds derived from this sale of \$1. be credited to Account No. CH4X501 00102 (Sale of Lands - Reserve for Property Purchases).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
28. (a) That the construction of a concrete alley between Fairfield Avenue North and Paling Avenue from Britannia Avenue to the north limit of 226 Fairfield Avenue North and 255 Paling Avenue proceed as a local improvement pursuant to Section 11 of the Local Improvement Act at an estimated gross cost of \$20,000. with a City's Share of \$8,924. and an Owner's Share of \$11,076. all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
- (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
- (c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received.

29. (a) That the following City lands be incorporated into the street in order to complete the final street width or to provide access and hook-up:

Rambo Street	Parts 1 and 2	Plan 62R-11178
Acadia Drive	Block 39	Plan 62M-715
Elite Drive	Block 40	Plan 62M-715
Bow Valley Drive	Portion of Parts 7 and 8	Plan 62R-8380
Highridge Avenue	Portion of Parts 7 and 8 Part 2	Plan 62R-8380 and Plan 62R-9499

- (b) That the by-laws to carry out the incorporation of the said lands into the foregoing streets be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.
30. That City Council enact the by-law to authorize construction of local improvements of finished roadway and concrete curbs on Dulgaren Street from Upper Sherman Avenue to approximately 72 m easterly.
31. (a) That approval be given to enter into a contract with K. G. Baird General Contracting Ltd. in the amount of \$83,670. for renovations to the Ferguson Yard Staff Facilities Building. Necessary funds are available in Account No. CF5200 609341013.
- (b) That a contract be entered into, satisfactory to the City Solicitor.
- (c) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.
32. (a) That a four-way stop control be implemented at the intersection of Paisley Avenue South and South Oval; and
- (b) That a "No Stopping" regulation be implemented on the west side of Paisley Avenue South commencing at South Oval and extending to a point 56 feet southerly therefrom; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.

33. (a) That the Tree Planting - Bare Root Centre No. 60404 and the Tree Planting - Large Caliper Centre No. 60402 item lines in the Public Works Department Streets Budget, not be considered as possible reduction packages during the 1994 current budget submissions so that the City of Hamilton can be eligible for an equal cost sharing program up to \$100,000. sponsored by Green Streets Canada - Municipal Tree Planting Recognition Program.
- (b) That the Mayor and City Clerk be authorized on behalf of City Council to enter into an agreement with Tree Plan Canada (Green Streets Canada) confirming the City's commitment to the program in accordance with criteria as outlined in Appendix "A" attached hereto.
- (c) That the City Solicitor be authorized to prepare any required documentation relative to the City of Hamilton's involvement in the Tree Plan Canada (Green Streets Canada) program.
34. That the "Corso Racalmuto" street signs erected on and in addition to the Murray Street signs, from John Street, to Bay Street, be retained permanently.
35. That leave be granted to introduce the following Bills:
- | | |
|---------------|---|
| (a) Bill A-69 | By-law to Incorporate Parts 1 and 2, Plan 62R-11178 into Rambo Street |
| (b) Bill A-70 | By-law to Incorporate Block 39, Plan 62M-715 into Acadia Drive |
| (c) Bill A-71 | By-law to Incorporate Block 40, Plan 62M-715 into Elite Drive |
| (d) Bill A-72 | By-law to Incorporate a portion of Parts 7 and 8, Plan 62R-8380 into Bow Valley Drive |
| (e) Bill A-73 | By-law to Incorporate a portion of Parts 7 and 8, Plan 62R-8380 and Part 2, Plan 62R-9499 into Highridge Avenue |

1993 September 28

- (f) **Bill A-74** By-law to authorize the construction of local improvements without petition under Section 12 of the Local Improvement Act of finished roadway and concrete curbs on Dulgaren Street from Upper Sherman Avenue to approximately 72 m easterly
- (g) **Bill A-75** By-law to amend Traffic By-law 89-72 to Regulate Traffic
- (h) **Bill A-76** By-law to amend Traffic By-law 89-72 to Regulate Traffic

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1993 September 20

1993 September 28

Appendix "A" as referred to in
Section 33 of the TWELFTH Report
of the Transport and Environment
Committee for 1983

GREEN STREETS CANADA PROGRAM CRITERIA

Description of past tree-planting activities.

Commitment that tree-planting budgets will be proportionate to previous year (Green Streets Canada contribution will increase existing budgets).

Agreement to a 50-50 cost-sharing.

A written commitment to the program from council, signed by the Mayor.

Community must agree to provide technical advice to the program and provide a care and maintenance program for trees planted.

Projects must have a community volunteer component.

Proposal must identify environmental benefits and convey them to the people.

Proposal should involve all tree sizes, from seedlings to whips and saplings to large trees.

Funding can be spread over more than one planting season, but should not exceed two years.

Communities will receive recognition and funding on a one-time basis only but they may still apply in other years as partners under the regular program.

Technical soundness of the proposal is essential.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **SIXTEENTH** Report for 1993 and respectfully recommends:

1.
 - (a) That the Director of Public Works be authorized to undertake remedial works in Powell Park at a cost of \$13,000. utilizing the 5% Park Dedication Fund (CH00201).
 - (b) That the 1994 Park Development and Redevelopment Program Capital Budget funding request for Powell Park be reduced by \$13,000.
2. That approval be given of the action taken by the Director of Culture and Recreation to allow the Inch Park Minor Baseball Association to sell liquor at a fundraising dance to take place at Inch Park Arena on 1993 September 18, subject to the following terms and conditions:
 - (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, including proof of liquor liability, naming the City as additional insured, be provided.
 - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
 - (c) That the applicant assume responsibility for all labour-related costs as a result of this event.
 - (d) That the appropriate financial statement be submitted following this event.

3. (a) That an Offer to Purchase, duly executed by Benemar Construction Inc. (Mark DeBenedictis, President) on 1993 August 31, and scheduled for closing on or before 1993 December 7, for the purchase of lands situated in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, being composed of part of Lot 9, Concession 1, formerly in the Geographic Township of Glanford, being an irregular shaped vacant parcel of land, having a frontage of 4.433 metres (14.53 feet) more or less, along the northerly limit of Vineberg Drive and containing an area of 0.0069 hectare (0.017 acre) more or less, and designated as Part 2 on Registered Plan 62R-12714, be approved and completed and the funds derived from this sale of \$752. be credited to the following accounts: \$2. to Account No. CH4X501 00201 (Sale - Reserve for Parkland) and \$750. to Account No. CH59050 30001 (Recovery-External, Real Estate Administration).
- (b) That this Offer to Purchase be subject to the City of Hamilton accepting an Option to Purchase, executed by Benemar Construction Inc. (Mark DeBenedictis, President), for the purchase of Part 1, 62R-12714, by the City. The said Option to Purchase and this Offer to Purchase are to be accepted by City Council concurrently, and both properties are to be finalized contemporaneously with each other.
- (c) That the closing of this transfer to Benemar Construction Inc. (Mark DeBenedictis, President) be conditional upon the transfer to the City by Benemar Construction Inc. provided for in the Option to Purchase referred to in sub-section (e).
- (d) That a cash deposit in the amount of \$77. be held by the City Treasurer pending City Council approval.
- (e) That an Option to Purchase, duly executed by Benemar Construction Inc. (Mark DeBenedictis, President), on 1993 August 31, and scheduled for closing on 1993 December 7, for the sale of lands situated in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, being composed of part of Block 1, Registered Plan 62M-721 (known as the Gardens of Rymal - Phase 2), being an irregular shaped vacant parcel of land, comprising of an area of 0.0069 hectare (0.017 acre) more or less, and designated as Part 1 on Registered Plan 62R-12714, be approved and completed and the purchase price of \$2. be charged to Account No. CH5X306 00201 (Purchase - Reserve for Parkland).

- (f) That this Option to Purchase be subject to the City of Hamilton accepting an Offer to Purchase, executed by Benemar Construction Inc. (Mark DeBenedictis, President), for the purchase of Part 2, 62R-12714 by Benemar Construction Inc. The said Offer to Purchase and this Option to Purchase are to be accepted by City Council concurrently, and both properties are to be finalized contemporaneously with each other.
 - (g) That the closing of this transfer to the City be conditional upon the transfer to Benemar Construction Inc. provided for in the Offer to Purchase referred to in sub-section (a).
 - (h) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.
- 4. That the Mayor and City Clerk be authorized and directed to execute a Crossing Agreement with TransCanada PipeLines Limited, in a form satisfactory to the City Solicitor, for the lands situated in the City of Hamilton, being part of Lot 55, Concession 2, to provide driveway access to a proposed parking lot located east of Scenic Drive.
 - 5. That approval be given to the wording of a commemorative plaque as outlined in Appendix "A" attached hereto for Stewart Memorial Church (formerly St. Paul's African Methodist Episcopal Church).
 - 6. (a) That Jude Johnson be approved as the 1993 recipient of the Hamilton Arts Award, and;
 - (b) That the annual Hamilton Arts Award grant in the amount of \$500. be awarded to Ms. Johnson at the Proclamation Day Ceremonies for Arts Awareness Month on Wednesday, 1993 September 29. Funds for this award are provided in Account No. CH5A100 20020 - Hamilton Arts Award.

1993 September 28

7. That City Council reconfirm its intent of including the potential future use of the James Street North, Canadian National Railway Station, in consultation with Canadian National Railways, within the context of the West Harbourfront Development Steering Committee's Terms of Reference.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1993 September 21

PROPOSED PLAQUE TEXT

Stewart Memorial Church
(formerly St. Paul's African Methodist Episcopal Church)
114 John Street North, Hamilton

Designated under the Ontario Heritage Act

Founded circa 1835 as St. Paul's AME Church, Stewart Memorial Church represents the longest surviving predominantly Black congregation within the City of Hamilton. First housed in a log structure on Rebecca Street, just east of John Street North, the congregation acquired its present building in 1879. This modest clapboard church, erected in 1848, was remodelled circa 1905 with a Gothic Revival brick exterior.

One of the most prominent figures in the history of Stewart Memorial Church was the Reverend John C. Holland, who played an instrumental role in keeping the church open when the congregation was faced with financial difficulties during the Depression years. The decision in 1937 to sever ties with the African Methodist Episcopal body resulted in the formation of a non-denominational church, renamed in commemoration of the previous minister, Reverend Claude A. Stewart.

The history of Stewart Memorial Church attests to the importance of the church as both a religious and social centre for Hamilton's community of African descent, beginning with the establishment of the earliest churches following the first influx of fugitive slaves into the Hamilton area in the 1820s.

NOTE: If provincial funding is obtained through the Ontario Heritage Foundation's Local Marking Assistance Program, the following acknowledgement must be added:
"Erected with the assistance of the Ontario Heritage Foundation".

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FOURTEENTH** Report for 1993 and respectfully recommends:

1. That approval be given to Zoning Application 92-25, Anwar Zurar, owner, requesting a change in zoning from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District to permit future development for single-family dwellings, for the property located at 855 Upper Horning Road, as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That the subject lands be rezoned from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District;
 - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-37C for presentation to City Council; and,
 - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
2. A. That approval be given to Amended Zoning Application 93-09, Frank Toth, Tony Di Franco and Angelo Cocca, owners, requesting changes in zoning from "AA" (Agricultural) District to "B-2" (Suburban Residential) District for Block "1", and to "C" (Urban Protected Residential, etc.) District for Block "2", to permit single-family development, on property located at Nos. 478 and 488 Rymal Road East, shown as Blocks "1" and "2" on the attached map marked as Appendix "B", on the following basis:
 - (a) That Block "1" be rezoned from "AA" (Agricultural) District to "B-2" (Suburban Residential) District;

- (b) That Block "2" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-27E for presentation to City Council; and,
 - (d) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- B. That approval be given to application 25T-91009, "Arrowhead Heights of Rymal", Frank Toth Construction and Angelo Cocca, owners, to establish a draft plan of subdivision, on lands located south of Rymal Road East and east of Upper Wentworth Street in the Chapel East Neighbourhood, subject to the following conditions:
- (a) That this approval apply to the plan, as revised in red, prepared by J.P. Woolley, O.L.S., dated June 4, 1991, now showing 15 lots for single family dwellings.
 - (b) That Street "A" be established to its full width of 20.00m in front of Lots 1 to 7 (inclusive) and Lots 14 and 15.
 - (c) That sufficient land be dedicated to the Region, for road widening purposes, to establish the property line 18.29 m from the centre line of the original Rymal Road road allowance.
 - (d) That a 2.0m x 2.0m day light triangle be established on the L-shaped corner of Lot 1.
 - (e) That the S-bend curve on Arrowhead Drive, east of Street "A", be revised to accommodate a 250.0 centre line radius transition and a minimum tangent section between the curves of 15.0m (see attached plan).
 - (f) That 0.30m reserves be established at the dead-ends of Street "A" and Arrowhead Drive and along the open side of Street "A", and these 0.30m reserves are to be conveyed to the City of Hamilton.

- (g) That the Final Plan not be registered until Arrowhead Drive from Upper Wentworth Street to the west limit of this subdivision has been opened by By-law.
- (h) That the Owner be required to enter into subdivision agreements with both the City of Hamilton and the Region of Hamilton-Wentworth prior to the development of any portion of these lands.
- (i) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
- (j) That the final plan conform with the Zoning By-law approved under the Planning Act.
- (k) That such easements as may be provided for utility or drainage purposes be granted to the appropriate authority.
- (l) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the subdivision in the final plan.
- (m) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
- (n) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton.
- (o) That the owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton.

- C. That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-91009), Frank Toth, Tony Di Franco and Angelo Cocca, owners, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
3. (a) That in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, City Council appoint the following persons to hold office as a member of the Downtown Promenade B.I.A.:
- | | |
|-----------------|---------------------|
| John Saltis | Trust Leather |
| Angelo Morgante | The Adventure Attic |
- (b) That the City Solicitor be authorized and directed to amend By-law No. 93-065 pursuant to (a) above.
4. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, nine hundred and forty-eight dollars, (\$1,948.) be approved for Agnes McEwen, 129 Auburn Avenue, Hamilton. The interest rate will be 8 percent amortized over 5 years.
5. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand three hundred and fifty (\$1,350.) be approved for Audrey Dryden, 76 Knyvet Avenue, Hamilton. The interest rate will be 9 percent amortized over 5 years.
6. That the Building Commissioner be authorized to issue a demolition permit for 283 MacNab Street North.
7. That a Commercial Loan in the amount of fifteen thousand dollars (\$15,000.) be approved for Paul Snider and Shelagh Mary Snider. The interest rate will be $2\frac{7}{8}$ percent amortized over 10 years.

8. That approval be given to Site Plan Control Application DA-93-23 for construction of columbarium at 1895 Main Street West, and that the owner not be required to sign the undertaking on the approved plans nor provide securities for the project, and that notice of the decision be published in accordance with the requirements of the Cemeteries Act.
9. A. That approval be given to amended Zoning Application 93-19, Dr. Steve Marcogliese, owner, requesting a modification to the established "C" (Urban Protected Residential, etc.) District regulations, to permit a dental office within the existing building, for the property located at No. 792 Upper Gage Avenue, as shown on the attached map marked as Appendix "C", on the following basis:
 - (a) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-Law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - i. That notwithstanding Section 9(1) of Zoning By-law No. 6593, the following uses shall be permitted:
 - 1) a dental office, only within the existing building and having a maximum gross floor area of 234.0 m² (2519.0 S.F.);
 - 2) an unlighted name plate having an area of not more than 0.2 square metres attached to and, as nearly as practicable, flush with the wall of the dwelling;
 - 3) an unlighted ground sign having an area of not more than 0.74 square metres and shall be located not less than 3.0 m from the nearest street line.
 - ii. That notwithstanding Section 18A.(24)(b)(i) of Zoning By-law No. 6593, the access/egress driveway within the limits of the drive-through garage shall not be less than 4.5 m in width;

- iii. That notwithstanding Section 18A.(11) of Zoning By-law No. 6593, a minimum 2.0 m wide landscape planting strip shall be provided and maintained along the northerly and westerly lot lines;
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1315, and that the subject lands on Zoning District Map E-38 be notated S-1315;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-38 for presentation to City Council;
- (d) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- B. That Site Plan Control By-law No. 79-275, as amended by By-law 87-223, be amended by adding the subject Lands to Schedule "A".
- C. That the amending By-law not be forwarded for passage by City Council until such time as the applicant has applied for and received approval of a site plan.
- 10. That approval be given to amended Zoning Application 93-20, Mr. and Mrs. M. Trikas, owners, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District modified, to "G-4" (Designed Neighbourhood Shopping Area) District modified, to permit additional commercial uses, on lands known as 952-954 Concession Street, as shown on the attached map marked as Appendix "D", on the following basis:
 - (a) That Section 1 of By-law No. 92-032 applicable to the subject lands be repealed in its entirety.
 - (b) That Section 3 of By-law No. 92-032 applicable to the subject lands be amended by removing the words "'C" District and" in the third line, and remove the "s" at the end of the word "sections", and "1 and" in the fourth line, so that this Section will now read as follows:

"No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-3" District provisions, subject to the special requirements referred to in section 2."

- (c) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District modified, to "G-4" (Designed Neighbourhood Shopping Area) District.
- (d) That the "G-4" (Designed Neighbourhood Shopping Area) District regulations contained in Section 13D of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:
 - i. Notwithstanding Section 13D(1), the uses shall be permitted within the existing building only;
 - ii. Notwithstanding Section 13D(1)(B), the following additional commercial uses shall be permitted within the existing building only:
 - a business or professional person's office;
 - a judo/karate club;
 - a florist;
 - a drapery and blinds store;
 - a pet store; and,
 - a self-service laundry.
 - iii. Notwithstanding section 13D(1)(B)(iv) a restaurant or refreshment room without dancing or other entertainment except music shall be permitted within the existing building only, with a maximum seating capacity of 25 seats".

iv. Notwithstanding Section 13D(1)(B), the following commercial uses shall be prohibited:

- an outdoor patio; and,

- a gun shop.

v. Section 18A(27) of By-law No. 6593 shall not apply.

AMENDED AND CARRIED.

- (e) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1214a, and the subject lands on Zoning District Map E-35 be notated S-1214a;
- (f) The City Solicitor be directed to prepare a By-law to amend By-law No. 6593 and Zoning District Map E-35 for presentation to City Council; and,
- (g) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Wilson, Merling. -2.

CARRIED.

- 11. That approval be given to Zoning Application 93-18, 304 Victoria Ave. N. Holdings Ltd., (Dr. N. Gagic, President), owner, requesting a further modification to the established "H" (Community Shopping and Commercial, etc.) District regulations, to permit an accessory coffee shop use to be located within the basement of the existing building, located at No. 304 Victoria Avenue North, as shown on the attached map marked as Appendix "E", on the following basis:

- (a) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593, as amended by By-Law No. 86-121, applicable to the subject lands, be further modified to include the following variances as special requirements:
- (b) That Subsection (c) of Section 2. of By-Law No. 86-121 be repealed in its entirety and substituted with a new Subsection (c) as follows:
 - i. notwithstanding subsection 14(1) of By-Law No. 6593, the use of the basement shall be limited to the following:
 - (i) Accessory Uses:
 - 1. a restaurant (coffee shop), provided that:
 - a) it shall have a maximum gross floor area of 65 m²;
 - b) it shall have access only from within the interior of the building; and
 - c) no indication of the existence or availability of any such use whether by way of a sign, display, or otherwise shall be visible from the outside of the building.
 - 2. storage and utilities.
- (c) That subsection (f) of Section 2. of By-Law No. 86-121 be amended by deleting the word "and" after 4(c), and adding the phrase "and 4(f)" after 4(i), all in the second line, so that it reads as follows:
 - (f) notwithstanding paragraphs 4(a), 4(c), 4(i) and 4(f) of Table 1 of clause 18A(1)(a) of By-Law No. 6593, a minimum of 93 parking space shall be provided and maintained;
- (d) That the amending By-Law be added to Section 19B of Zoning By-Law No. 6593 as Schedule S-940a, and that the subject lands on Zoning District Map E-12 be notated S-940a;

1993 September 28

- (e) That the City Solicitor be directed to prepare a By-Law to amend Zoning By-law No. 6593, and Zoning District Map E-12 for presentation to City Council;
 - (f) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
12. That the Building Commissioner be authorized to issue a demolition permit for 105 Park Street North.
13. That leave be granted to introduce the following Bill:
- C-73 By-law to Change the Name of Gondola Street to Duncairn Crescent.

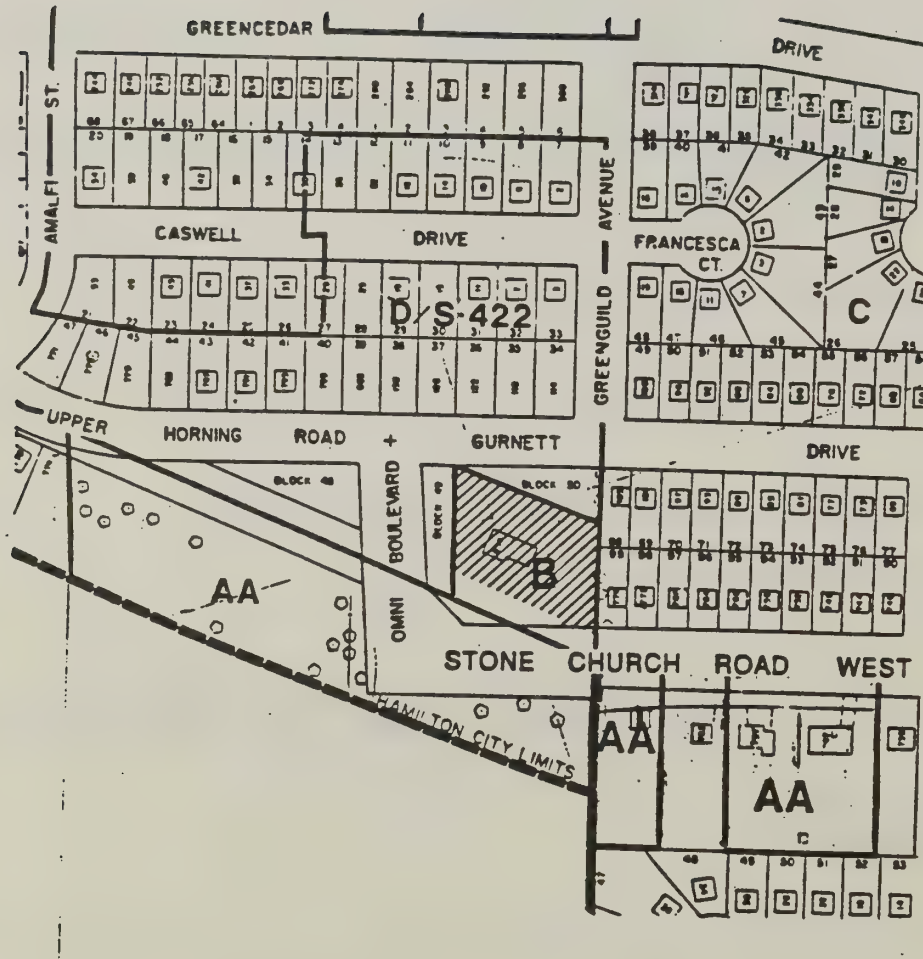
RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1993 September 22**

1993 September 28

Appendix "A" as referred to
in Section 1 of the **FOURTEENTH**
Report of the Planning and
Development Committee for
1993



Legend

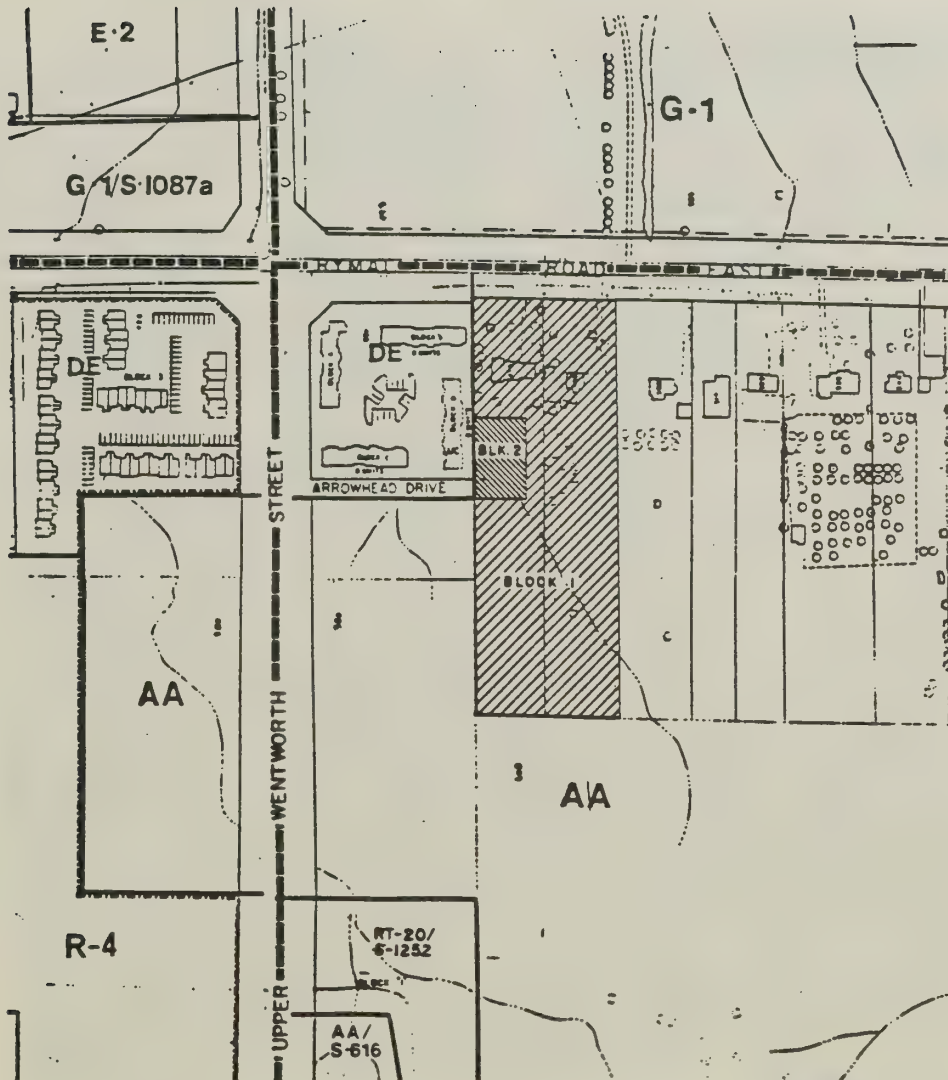


Site of the Application



1993 September 28

Appendix "B" as referred to
in Section 2 of the FOURTEENTH
Report of the Planning and
Development Committee for
1993



Legend

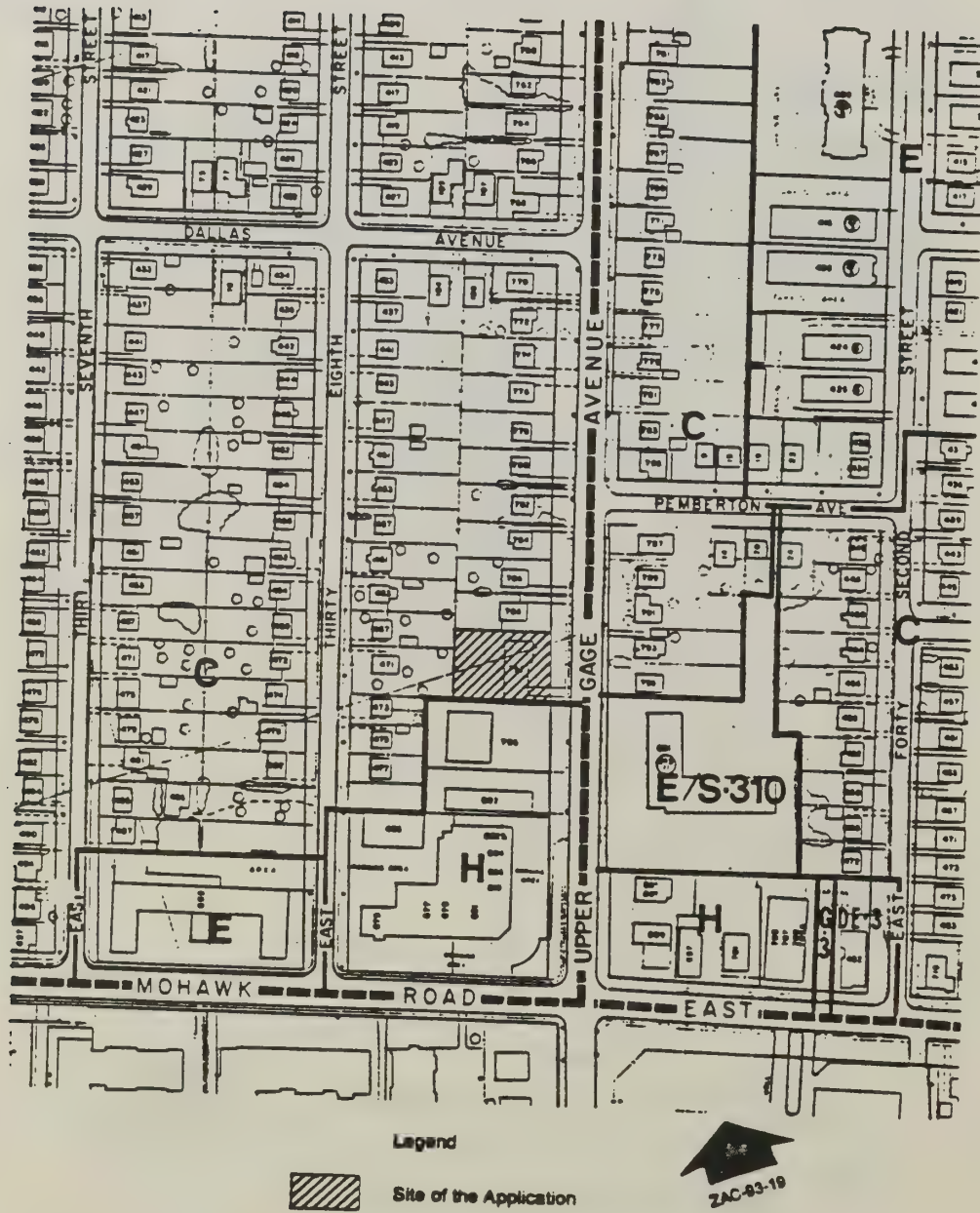
Proposed Changes in Zoning From "AA" (Agricultural) District to:

- BLOCK 1  "B-2" (Suburban Residential) District.
- BLOCK 2  "C" (Urban Protected Residential, etc.) District.



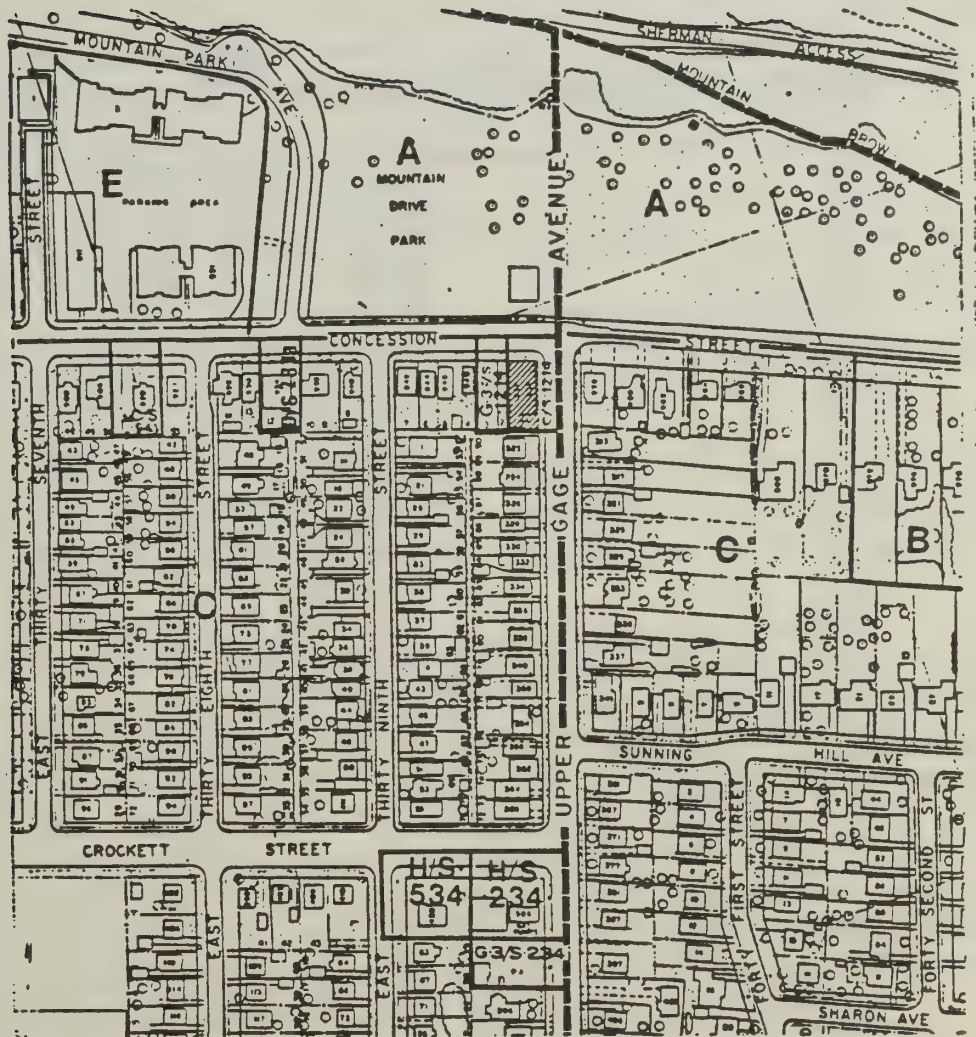
1993 September 28

Appendix "C" as referred to in
Section 9 of the FOURTEENTH
Report of the Planning and
Development Committee for
1993



1993 September 28

Appendix "D" as referred to
in Section 10 of the **FOURTEENTH**
Report of the Planning and
Development Committee for
1993



Legend

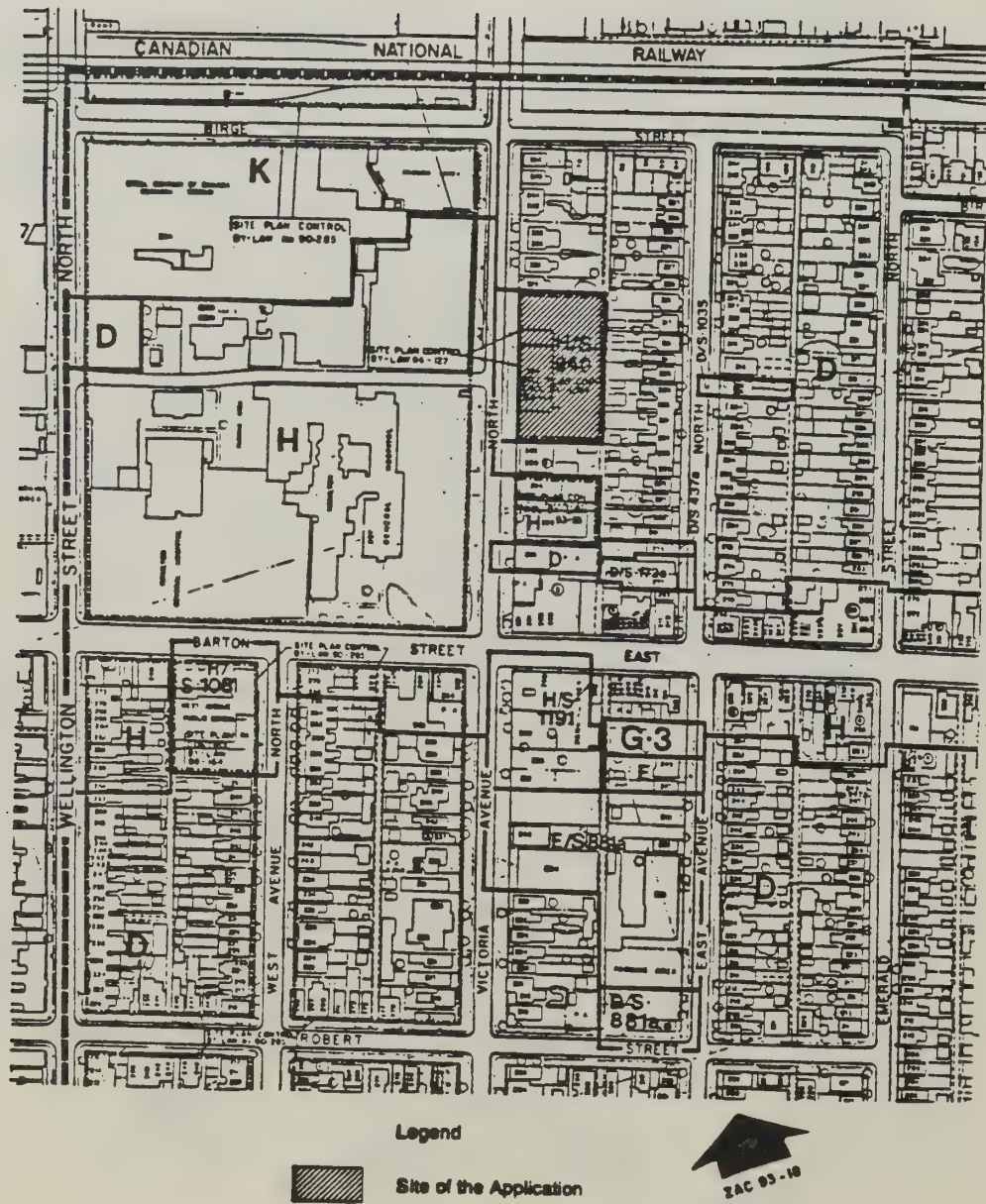


Site of the Application



1993 September 28

Appendix "E" as referred to
in Section 11 of the FOURTEENTH
Report of the Planning and
Development Committee for
1993



1993 September 28

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **FOURTH** Report for 1993 and respectfully recommends:

1. That the appeal by Fadhel Zahed, 51 Megna Court, Hamilton, for reinstatement on the Taxi Priority List be denied.

Mr. Zahed appeared before the City of Hamilton Licensing Committee on 1993 September 08 and submitted that he had failed to renew his name on the Taxi Priority List because he had been unaware of the new system which required yearly renewal.

The Licence Division advised that a registered letter had been sent to Mr. Zahed in 1989 advising of the new requirements but that this letter had been returned undelivered. However, a second letter had been sent and was not returned. It was also pointed out that Mr. Zahed had held a Taxi Driver Licence during that time.

After consideration, the Licensing Committee recommended that the appeal be denied on the grounds that no new evidence had been presented which would lead the Committee to believe that Mr. Zahed could reasonably be unaware of the requirement to renew his name on the Priority List."

RESPECTFULLY SUBMITTED

**ALDERMAN T. COOKE, CHAIRPERSON
LICENSING COMMITTEE**

Stella Glover
Secretary
1993 September 08

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **EIGHTEENTH** Report for 1993 and respectfully recommends:

1. (a) That City of Hamilton By-law 84-191 be amended so as to permit the keeping of Vietnamese Pot Bellied Pigs as domestic pets; and,
(b) That the City Solicitor, in consultation with Alderman D. Drury, the H.S.P.C.A., and other interested parties, be authorized and directed to prepare the appropriate By-law.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Anderson, D'Amico. -11.

NAYS: Aldermen Wilson, Jackson, Merling, Ross. -4.

CARRIED.

2. That Realty and Business Tax Applications processed under Section 443 of the Municipal Act, Chapter 45 Statutes of Ontario, 1990 in the amount of \$58,720.27 be approved and charged to CH53307-24104 Tax Remissions.

3. That as referred to in Section 28 of the Twelfth Report for 1993 of the Transport and Environment Committee, the City Solicitor be authorized to prepare an appropriate By-Law to construct an alley between Fairfield Avenue North and Paling Avenue from Britannia Avenue to the north limit of 226 Fairfield Avenue North and 255 Paling Avenue under the Local Improvement Act at an estimated cost of \$20,000., with a City's share of \$8,924. to be financed from the Reserve for Capital Projects (Account Centre No. CH 00203) and the balance of \$11,076. being the Owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$11,076. for a term not to exceed 20 years for the above project.
4. That approval be given to the action taken by the City Clerk of advising the Liquor Licence Board of Ontario that the City of Hamilton is aware of, and has no objection, to the issuance of an extension of liquor licence permit to Cricket's Eatery located at 1900 King Street East on Sunday, 1993 September 19th from 7:00 - 11:00 o'clock p.m. for the purpose of holding a fall season "Western Sizzler Night" in conjunction with the Rosedale Business Association.
5. That the Liquor Licence Board of Ontario be advised that the City of Hamilton is aware of the McMaster University Faculty of Health Science and the Chedoke-McMaster Hospitals Foundation Oktoberfest Fundraising Evening being held in support of Bone Marrow Transplant Research on 1993 October 23rd at the H.M.C.S. Star and deems this event to be of municipal significance, and as such does not object to the issuance of a Special Occasion Permit.
6.
 - (a) That Alderman D. Agostino be appointed to serve as the Finance and Administration Committee Representative on the Joint City and Regional Task Force on Roomers and Boarders; and,
 - (b) That Regional Council be advised of this appointment; and,
 - (c) That Regional Council be requested to amend the composition of the Joint City and Regional Task Force on Roomers and Boarders to include representation from the President or his designate of the Municipal Non-Profit (Hamilton) Housing Corporation.

7. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source(s) of Financing
(a) 318241001	Energy Conservation Projects-City Hall	\$730,000.00	\$729,783.32	\$216.68	Reserve for Capital Projects and Capital Levy
(b) 319141001	Major Maintenance to Civic Buildings	750,000.00	749,851.65	148.35	Debenture
(c) 319241002	Major Maintenance to Civic Buildings	300,000.00	299,779.03	220.97	Debenture
TOTAL				\$586.00	

8. That the listing of Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1993 September 15, attached herewith and marked Appendix "A", be approved.
9. (a) That the Development Charges Act complainant, C. H. Heist Limited, be refunded \$14,074.57 in development charges due to over payment on the property located at 84 Birmingham Street; and,
- (b) That with respect to the remaining balance of \$3,810.18, that after hearing the evidence and submission of the complainant, C.H. Heist Limited, the Council of the Corporation of the City of Hamilton hereby confirms that the balance of the development charges imposed on the property located at 84 Birmingham Street as having been properly imposed pursuant to the City of Hamilton Development Charges By-law #90-74, as amended.

10. (a) That the salary reclassification for the following non-union positions in the City Clerk's Office be approved in accordance with the recommendation made by City Core Group:

<u>POSITION TITLE</u>	<u>FUNCTION</u>	<u>GRADE</u>	<u>SALARY</u>
(i) Manager, Records Division	Manage the Administrative Division of the City Clerk's Department, prepare and monitor departmental budgets, supervise municipal elections, manage support services for the Aldermen and perform all duties of the City Clerk in his absence in rotation with the Manager, Legislative Services	G	\$62,178.48 - \$73,286.72
(ii) Freedom of Information Officer	Administer the Corporate Records Management Program, Supervise the Records Section of the City Clerk's Department, Supervise the Central Records Centre, Administer the Municipal Freedom of Information and Protection of Individual Privacy Act. Assist in a major way with Municipal Elections. Assist with budget preparation and act as Secretary to the Administrative Team.	L	\$43,484.48 - \$51,205.44
(iii) Administrative Assistant III	To provide secretarial and administrative services to the Manager of Administrative Services and the Manager of Legislative Services	O	\$34,001.76 - \$39,962.52

- (b) That the following title changes, resulting from the reorganization, be approved:-

<u>FROM</u>	<u>TO</u>
(i) Manager, Records Division	Manager of Administrative Services
(ii) Freedom of Information Officer	Supervisor of Records/FOI Officer
(iii) Administrative Assistant III	Administrative Assistant II

11. That the following positions in the Public Works Department be reclassified in the following manner, as recommended by Core Group at its meeting of 1993 May 19.

That these reclassifications go into effect on the date of Council's approval.

<u>Title</u>	<u>Current Level</u>	<u>Proposed Level</u>
(a) Superintendent of Facilities	Level I"3" \$56,217.72 - \$66,242.28	Level H"3" \$58,386.12 - \$68,816.28
(b) Superintendent of Cemeteries	Level L"3" \$43,484.48 - \$51,205.44	Level J"3" \$53,779.96 - \$63,398.40
(c) Manager of Cemeteries (Classified Downward)	Level G \$62,178.48 - \$73,286.72	Level H \$58,386.12 - \$68,816.28

Net change in staff - 1 position deleted (Office Manager - \$43,484.48 - \$51,205.44)

12. That the complement in the Horticultural Section of Public Works be adjusted as follows:

	<u>Delete</u>	<u>Increase</u>
Gardener II	1	
Tractor Operator	1	
Truck Driver (Parks)	2	
Lead Hand (Parks)	1	
Landscaper		5
Totals:	<u>5</u>	<u>5</u>

Net change in staffing = NIL

13. (a) That the Director of Information Systems be authorized to proceed with the implementation of "Area-wide" Bell Canada Centrex services in the amount of \$11,000. from Account CH56111-26023 (City Phone Charges); and,
- (b) That the City Treasurer be authorized to make telephone budget appropriation changes as required to re-allocate telephone cost allocations from Departments who will have reduced telephone costs to Departments that will experience increased costs; and,
- (c) That the net savings of \$10,000. (estimated) per year be removed from the Telephone Accounts effective 1995 January 1.; and,
- (d) That implementation be subject to the Region of Hamilton-Wentworth contributing their share of the cost (\$11,000.).

14.
 - (a) That, in view of the significant costs associated with the administration of Sub-Committees (in excess of \$500,000. annually) and, in view of the need to reduce the City's overall administrative costs, a Task Force be established to undertake a review and evaluation of the current sub-committee system with the objective of examining and identifying potential cost savings and efficiencies through a possible reduction/amalgamation or reassignment of sub-committees; and,
 - (b) That the Task Force be comprised of the Chairperson or Vice Chairperson of each of the four (4) Standing Committees; and,
 - (c) That the criteria for the review/evaluation by the Task Force, include, but not be limited to the following:
 - (i) rationalization of costs vs. benefits derived.
 - (ii) examination of reporting and accountability relationships with Standing Committees.
 - (iii) examination of alternative mechanisms for providing this service with emphasis on the reduction of non-value added activities and better utilization of resources.
 - (iv) examination of how and why activities are done to ensure a sound foundation for rearranging, redesigning and streamlining the sub-committee system.
 - (v) review need for frequency of all meetings including sub-committees which are retained.
 - (vi) evaluation of impact of change.
 - (d) That the Task Force be requested to complete its review and submit a proposal/action plan for implementation effective 1994 January 1.
15. That the City of Hamilton adopt a Fair Wage Policy as attached herewith and marked Appendix "B", which would apply on all construction contracts with the City.

16. (a) That the City of Hamilton lease 750 square feet of the mall level portion of Copps Coliseum to The Society of Management Accountants of Canada for storage purposes, subject to the following terms and conditions:

Property: South-East quadrant of retail mall level
Copps Coliseum, 101 York Boulevard

Area: 750 square feet

(i)

Term: (1.) Five (5) Years
Commencing 1993 October 1
Terminating 1998 September 30

- (2.) If at any time during the lease the Lessor requires the leased space for use as part of a N.H.L. hockey franchise, then upon ninety (90) days written notice, this lease will be automatically terminated.

(ii)

Rental Rate: (1.) For five (5) years \$5. per square foot (GROSS), \$3,750. annually, \$312.50 per month, plus G.S.T. and applicable realty and business taxes;

- (2.) First and last month's rent to be received prior to execution of lease.

(iii)

Operating Costs: Lessor to pay all operating costs associated with leased space (hydro, heat and air) with exception of realty and business taxes.

(iv)

Option to Renew: At the sole discretion of the Lessor, a five (5) year renewal will be granted if requested by the Lessee, provided all terms of the lease being complied with, and six (6) months prior to the expiry of the initial term, the new rental rate is agreed upon, other terms and conditions (except no renewal clause) to remain the same.

(v)

Tenant Improvements: The Lessee is responsible, at its own cost,

(1.) to install all tenant improvements;

All construction drawings (meeting all code requirements) must be submitted to and approved by the Lessor prior to construction.

All work to be carried out in a good workmanlike manner meeting all code requirements.

The first three (3) months are a free rent period to assist in Tenant's construction costs associated with the renovations required.

(vi)

Special Conditions:

(1.) That the Lessee, prior to the end of the term and at its own cost, shall (1) remove all alterations, decorations, additions or improvements in or on the leased premises as the Lessor may require to be removed.

(2.) That the Lessee shall not have a right to assign or sublet this lease.

- (b) That the Director of Property, Co-ordinator, Lloyd D. Jackson Square, be directed to apply to the Minister of Municipal Affairs and to C.M.H.C. for approval of the proposed lease; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute the lease and related agreements in a form satisfactory to the Director of Property, H.E.C.F.I., and the City Solicitor.

17.
 - (a) That Section 23 of the Fifteenth Report of the Finance and Administration Committee, approved by City Council on 1993 August 31, be amended by increasing the area leased from 1,900 square feet to approximately 2,600 square feet with the final area to be confirmed by the Survey Department; and,
 - (b) That the rental rates be adjusted accordingly based on a rate of \$4. per square foot (NET); and,
 - (c) That the City Solicitor be authorized to amend the Lease Agreement.
18.
 - (a) That the Treasurer be authorized and directed to:
 - (i) Prepare a "request for proposal for the collection of business taxes" to be circulated to the various collection agencies and bailiffs with a view of reviewing alternatives for the collection of business tax accounts; and,
 - (ii) Review the current process of utilizing the Assessment Review Board to hear tax appeals under Section 442 of the Municipal Act with the City Clerk and City Solicitor and prepare a report on the feasibility of transferring this process to the City of Hamilton.
 - (b) That the City of Hamilton's tax collection procedures be amended to include the following:
 - (i) Business Taxes:
 - (1.) The implementation of in-house collection procedures including further notices/telephone calls by staff for all accounts in excess of \$5,000. subsequent to final notice to business taxpayers and prior to the accounts being forwarded to the collection agency; and,
 - (2.) Utilize the services of bailiffs to make seizures, if necessary, where the collection agency is unable to enforce collection and the business continues to operate.

(ii) Realty Taxes:

- (1.) Implementation of a "final notice" in the form of a personalized letter from the Treasurer just prior to proceeding with the registration of properties in arrears; and,
- (2.) Implementation of an additional notice from the Treasurer to property owners with arrears in excess of one years taxes.

19. That the City of Hamilton continue its present practice of monthly levy payments to the Boards of Education.
20. That in keeping with past tradition, the Citizens of Hamilton be encouraged to conduct their Halloween activities on Saturday, 1993 October 30th.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Jackson, Merling, Anderson, Ross. - 10.

NAYS: Aldermen Agro, Copps, Wilson, Agostino, Eisenberger, D'Amico. -6. **CARRIED.**

21. That the Tracking Form used by members of the public interested in applying to Committees, Boards and Commissions, as adopted by City Council on 1992 September 29 be amended as follows:
 - (a) That Section 3 be changed from "Are you a member of a Visible Minority? (This refers to Race/Colour)" to "Please identify yourself as one of the following: (This refers to Race/Colour)"; and,
 - (b) That Section 4 be amended to delete the words "(please specify)" after the word "yes" and that reference to the individual disabilities be deleted; and,
 - (c) That all references made to Section 13 on the Ontario Human Rights Code be changed to Section 14 of the Ontario Human Rights Code.

22. That the City of Hamilton settle Ontario (General Division) Action No. 6893/89 on the following terms:
- (a) That the City pay to the Plaintiffs, John Davidson, Harry Davidson and Carol Davidson, \$19,200., inclusive of damages, interest, disbursements and costs; and,
 - (b) That the Plaintiffs be required to execute a Full and Final Release of the City of Hamilton in a form satisfactory to the City Solicitor; and,
 - (c) That the Plaintiffs dismiss Ontario Court (General Division) Action No. 6893/89 as against the City of Hamilton without costs.
23. That Outstanding Business Taxes in the amount of \$356,393.46 be written-off in accordance with Section 441 of The Municipal Act, R.S.O. 1990 and charged to Account CH53401 24106, Tax Write-Offs.
24. That Outstanding Accounts Receivables totalling \$27,751.69 be written off and charged to Account CH 15401 00001.
25. That leave be granted to introduce the following Bills:
- (a) Bill H-54 A By-law to Amend Market By-law No. 92-310 as Amended by By-law No. 93-151 respecting Market Hours.
 - (b) Bill H-55 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1993 September 23**

1993 September 28

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Ms. Margaret Reilly	I	Lifeguard II (12-I)	Culture & Recreation	Replacing Mr. B. Broker - promoted, June 28/93 New Position Council Approved May 26/92	\$31,722.08 to \$34,424.00	July 05/93
Mr. Frank Shaw	I	Traffic Signal Foreman/Woman (12B)	Traffic	New Position Council Approved July 27/93	\$36,303.80 to \$47,997.04	Aug. 30/93
Mr. Edwin Zvirbulis	I	Gardener II (D14)	Public Works	Replacing Mr. M. Hunter Transferred to Forester II, May 25/93 New Position Council Approved January 28/93	\$36,052.64	Aug. 16/93

Appendix "A" referred
to in Section 8 of the
EIGHTEENTH Report of the
Finance and Administration
Committee for 1993.

Prepared September 15/93

Status
Internal - I
External - E

1993 September 28

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Frank Genovese	I	House Plan Examiner (19-A)	Building	Replacing Mr. D. Pickard - promoted, Aug. 17/92 New Position Council Approved March 21/93	\$36,392.72 to \$42,130.92	Aug. 16/93
Mr. Michael Hunter	I	Forester II (D-20B)	Public Works	Replacing Mr. P. Lecomte - returned to former position, Aug. 11/93 New Position Council Approved January 28/93	\$38,240.80	Aug. 11/93
Mr. Zoran Kristo	I	Customer Service Representative (21-D)	Building	Replacing Mr. G. Robis - promoted, July 17/93 C. Hewitt terminated July 19/93	\$37,883.04 to \$43,825.60	Aug. 16/93

Prepared September 15/93

Status
Internal - I
External - E

1993 September 28

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Gary Bartlett	Firefighter I	Fire	Retired	31 years, 4 months	Aug. 31/93
Mr. Alberto Felice	Foreman I	Public Works	Retired	29 years, 4 months	Sept. 13/93
Mr. Sabatino Ragonetti	Concrete Finisher	Public Works	Deceased	7 years, 3 months	Aug. 19/93

Prepared September 15/93

Glossary of Terms

Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons

FAIR WAGE POLICY

1993 September 28

Appendix "B" referred
to in Section 15 of the
EIGHTEENTH Report of the
Finance and Administration
Committee for **1993**.

POLICY STATEMENT

On all construction contracts with the City, every contractor and sub-contractor shall pay or provide wages, benefits and hours of work to their employees, in accordance with the Fair Wage Policy and the Fair Wage Schedule of The Corporation of the City of Hamilton.

DEFINITIONS

In this Policy:

- (a) "benefits" means a pension plan or RRSP's (or equivalent), major medical plans, dental plans, vacation entitlement and public holiday entitlement;
- (b) "contract" means any construction contract entered into between the City and a contractor and the various sub-contracts to that contract;
- (c) "contractor" means any person, firm or corporation having a contract with the City for the performance of construction work but does not include any person, firm or corporation that only supplies materials for the contract;
- (d) "employees" means those persons employed by the contractor or sub-contractor in positions, classifications, trades or any combination thereof identified in the Fair Wage Schedule, for the performance of construction work on a contract with the City;
- (e) "Fair Wage Schedule" means the schedule of wages, benefits and hours of work for the performance of construction work on all City contracts, as approved and as amended from time to time by City Council;
- (f) "hours of work" means the regular hours of work per day and week and shall include a provision for the payment of overtime beyond such regular hours, as per the Employment Standards Act of Ontario.
- (g) "City" means The Corporation of the City of Hamilton, its officers, officials, employees and agents or any of them;
- (h) "City Council" means the Council of The Corporation of the City of Hamilton;

- (i) "sub-contractor" means any person, firm or corporation performing construction work under an agreement with a contractor having a contract with the City or an agreement under the contractor with another sub-contractor for the performance of construction work but does not include any person, firm or corporation that only supplies materials for the contract; and
- (j) "wages" means the basic hourly rate of pay for each position, classification and trade as per the Fair Wage Schedule.

PROCEDURES

1.
 - (a) The City's Commissioner of Human Resources or designate will prepare and review the Fair Wage Schedule from time to time and recommend to the appropriate Standing Committee of City Council, those amendments to the Fair Wage Schedule which are required to reflect the prevailing wages, benefits and hours of work in the construction industry in the geographical area of the City.
 - (b) The City's Director of Property or designate will review the Fair Wage Policy from time to time and recommend to the appropriate Standing Committee of City Council any required amendments to the Fair Wage Policy.
2. The City's Director of Property or designate shall provide to every person bidding on City construction contracts a copy of the Fair Wage Policy and the Fair Wage Schedule. The contractor and its sub-contractor shall not be responsible for any Fair Wage Schedule rate increases which occur after the closing of the tender for the City construction contract on which the contractor is the successful bidder.
3. For all construction contracts with the City, the contractor shall provide to the City, in a form acceptable to the City Solicitor or designate, a sworn statement confirming that the contractor and its sub-contractor are in compliance with the Fair Wage Policy and the Fair Wage Schedule. This sworn statement shall be provided to the City after substantial performance of the contract (as defined in the Construction Lien Act of Ontario) and prior to release of the holdback. The City reserves the right to not release any holdback on a contract until such contractor's sworn statement of compliance is received and deemed to be satisfactory by the City's Treasurer or designate.
4.
 - (a) A contractor is fully responsible for ensuring that all of its sub-contractors comply with the Fair Wage Policy and the Fair Wage Schedule. A sub-contractor is fully responsible for ensuring that all of its sub-contractors comply with the Fair Wage Policy and the Fair Wage Schedule.

- (b) A contractor must provide all of its sub-contractors with a copy of the Fair Wage Policy and Fair Wage Schedule before any construction work is performed by the sub-contractors.
5. Any person who has an objection to the administration of the Fair Wage Policy or the Fair Wage Schedule, or both, may make a written request to appear and to make submissions before the appropriate Standing Committee of City Council and such Standing Committee may, in its sole discretion, grant or refuse such request.

POSTING

All contractors must post in a conspicuous place on every construction project site, in a location satisfactory to the City's Director of Property or designate, a copy of the Fair Wage Policy and the Fair Wage Schedule supplied to it by the City and which will include a telephone number by which any inquiry regarding the Fair Wage Policy or the Fair Wage Schedule, or both may be made to the City's Commissioner of Human Resources or designate.

RECORDS

1. (a) The contractor must keep records of the names, addresses, wages paid, benefits paid or provided and hours worked for all of its employees.
- (b) The contractor shall make these records available for inspection by the City upon request by the City.
2. The contractor shall, in any agreement with a sub-contractor, require the sub-contractor to,
 - (a) keep records of the names, addresses, wages paid, benefits paid or provided and hours worked for all of its employees;
 - (b) make these records available for inspection by the City upon request by the City; and
 - (c) require its sub-contractor to assume the same obligations in relation to their own employees.

COMPLAINTS

1993 September 28

1. Any person may submit a complaint to the City alleging non-compliance with the Fair Wage Policy or the Fair Wage Schedule, or both, by any contractor or sub-contractor performing construction work on a City contract. All complaints must be submitted in writing on a completed "Fair Wage Complaint Form", to the City's Commissioner of Human Resources or designate, at the earliest time but no later than forty-five (45) days following substantial performance of the:
 - (a) relevant City construction contract where a complaint is being made against a contractor; or
 - (b) relevant sub-contract to a City construction contract where a complaint is being made against a sub-contractor.
2. Upon receipt of a completed "Fair Wage Complaint Form" by the City's Commissioner of Human Resources or designate, the City shall take such action as it deems is necessary to determine whether the contractor and sub-contractor involved or named in the complaint is in compliance with the Fair Wage Policy and the Fair Wage Schedule. Any action deemed necessary by the City shall be commenced within thirty (30) calendar days of receipt of a completed "Fair Wage Complaint Form" by the City's Commissioner of Human Resources or designate.
3. The City's Commissioner of Human Resources or designate shall inform the complainant and any contractor or sub-contractor involved or named in the complaint, of the results of the City's determination of contractor's and/or sub-contractor's compliance or non-compliance with the Fair Wage Policy or the Fair Wage Schedule, or both.
4. The City shall make every effort to safeguard the confidentiality of each complainant's identity. However, this information is subject to the provisions of the **Municipal Freedom of Information and Protection of Privacy Act of Ontario**.

RANDOM INSPECTION AND AUDITS

1. The City retains the right to inspect and audit the records (as referred to in the RECORDS section of this Fair Wage Policy) of the contractor or sub-contractor at any time during the period of the contract and at any time thereafter as deemed necessary by the City. The contractor shall supply certified copies of any such records whenever requested by the City.

COMPLIANCE

1993 September 28

1. A contractor or sub-contractor shall be in compliance with the wages requirements of the Fair Wage Policy when it pays to its employees wages equal to or greater than the amount set out in the Fair Wage Schedule.
2. A contractor or sub-contractor shall be in compliance with the benefits requirements of the Fair Wage Policy when the contractor or sub-contractor:
 - (a) provides to its employees a pension plan, RRSP's or equivalent (yearly or other bonuses and profit sharing do not qualify as an equivalent);

or

pays to its employees, in addition to the wages as set out in the Fair Wage Schedule, a dollar amount, on an hourly basis, equal to or greater than the amount for a pension plan, RRSP's or equivalent as set out in the Fair Wage Schedule; and
 - (b) provides to its employees a major medical plan and a dental plan;

or

pays to its employees, in addition to the wages as set out in the Fair Wage Schedule, a dollar amount, on an hourly basis, equal to or greater than the amount for a major medical plan and a dental plan as set out in the Fair Wage Schedule; and
 - (c) provides to its employees a vacation and public holiday entitlement which meets the minimum requirements of the Employment Standards Act of Ontario;

or

pays to its employees, in addition to the wages as set out in the Fair Wage Schedule, a vacation and public holiday entitlement which meets the minimum requirements of the Employment Standards Act of Ontario.
3. A contractor or sub-contractor shall be in compliance with the hours of work requirements of the Fair Wage Policy when the contractor or sub-contractor provides to its employees overtime pay for those hours worked in excess of the regular daily and weekly hours of work (as per the Employment Standards Act of Ontario), at an amount not less than one and one half times the wages as set out in the Fair Wage Schedule. Notwithstanding that a contractor or sub-contractor pays wages in excess

of the rates as set out in the Fair Wage Schedule, the contractor or sub-contractor shall not, in computing overtime wages payable to an employee, set off against such overtime wages any part of the wages earned by the employee in respect of their regular work period.

CONSEQUENCES OF NON-COMPLIANCE

1. The City's Director of Property or designate upon determining that a contractor or sub-contractor is in non-compliance of the Fair Wage Policy or the Fair Wage Schedule, or both:
 - (a) shall advise the contractor or sub-contractor, in writing, that it has been determined that the contractor or sub-contractor is in non-compliance and that the contractor or sub-contractor is required to comply immediately; and
 - (b) may withhold the amount of funds by which the contractor or sub-contractor has been determined to be in non-compliance from any payment owed by the City to the contractor until such time as the contractor or sub-contractor complies; and
 - (c) shall assess the cost of the City's inspection, audit or other action as deemed necessary by the City as a result of such determination of non-compliance of the contractor and/or sub-contractor and may deduct such costs from any payment owed by the City to the contractor; and

the amount of funds and costs withheld or deducted in accordance with #1(b)&(c) of the CONSEQUENCES OF NON-COMPLIANCE shall not exceed any payments owed by the City to the contractor under the contract or any payments owed by the contractor to the sub-contractor determined to be in non-compliance under the contract.

2. Where a contractor or sub-contractor has been determined to be in non-compliance with the Fair Wage Schedule for the first time in a five (5) year period, the City's Director of Property or designate may require such contractor or sub-contractor, on the next three (3) City contracts on which the contractor or sub-contractor performs construction work, to submit an accountant's report which verifies the contractor's or sub-contractor's compliance with the Fair Wage Policy and the Fair Wage Schedule. Such accountant's report shall be in a form satisfactory to the City's Treasurer or designate and shall be submitted after substantial performance of the contract (as defined in the Construction Lien Act of Ontario) and prior to the release of the holdback.

3. Where a contractor or sub-contractor has been determined to be in non-compliance with the Fair Wage Schedule for a second or subsequent time within a five (5) year period from the date of the first determination of non-compliance by the City's Director of Property or designate, the City, as approved by City Council, may:
 - (a) refuse to accept bids, quotations or proposals from such contractor on City construction contracts, for a period of two (2) years from the date of City Council approval, save and except any contract the contractor may currently have with the City.
 - (b) not allow such sub-contractor to perform any construction work on any City construction contract, for a period of two (2) years from the date of City Council approval, save and except any contract on which the sub-contractor may currently be performing construction work.
4. Where a contractor or sub-contractor has been determined to be in non-compliance of the Fair Wage Policy by the City's Director of Property or designate, such contractor or sub-contractor may be subject to the same consequences as stated above, in #3 of the CONSEQUENCES OF NON-COMPLIANCE, as approved by City Council.
5. The City's Director of Property or designate shall, upon request, make available a list of all contractors and sub-contractors who have been determined to be in non-compliance with the Fair Wage Policy or the Fair Wage Schedule, or both and are subject to restrictions in accordance with #2, #3, #4, of the CONSEQUENCES OF NON-COMPLIANCE.
6. The City's Director of Property or designate will require a contractor or sub-contractor to substitute, at its own cost, any sub-contractor who, on the first day that the tender for the relevant City construction contract is available for pick-up, is named on the list referred to in #5 of the CONSEQUENCES OF NON-COMPLIANCE above, and is identified as not being allowed to perform any construction work on a City construction contract.
7. The City is not in any way liable, obligated or responsible to any employee, sub-contractor, contractor or any other person for the payment of any monies not paid by a contractor or sub-contractor in accordance with the Fair Wage Policy or the Fair Wage Schedule, or both, and the City assumes no responsibility to such employee, sub-contractor, contractor or any other person for the administration and enforcement of the Fair Wage Policy or the Fair Wage Schedule, or both.

* THIS POLICY SHALL BE READ WITH SUCH GENDER OR NUMBER OR CORPORATE STATUS AS THE CONTEXT MAY REQUIRE.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **NINETEENTH** Report for 1993 and respectfully recommends:

1. (a) That the local agreement between the H.P.F.F.A. Local 288 and the City of Hamilton, be approved and implemented, subject to ratification by the membership of H.P.F.F.A. Local 288, in accordance with the terms therein; and,
- (b) That the Commissioner of Human Resources be authorized and directed to file the agreement with the Social Contract Secretariat of the Government of Ontario; and,
- (c) That the Commissioner of Human Resources be authorized and directed to release Confidential Appendix "A" on 1993 October 6, after its presentation to the membership of H.P.F.F.A. Local 288.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1993 September 28**

1993 September 28

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **THIRD** Report for 1993 and respectfully recommends:

1. That Alderman T. Anderson be appointed Chairman of the Committee of the Whole for the three (3) month term October - December, 1993.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW
CHAIRMAN, NOMINATING COMMITTEE**

J.J. Schatz, Secretary
1993 September 28

1993 October 5

Special Meeting of City Council
1993 October 5
7:00 o'clock p.m.
Room 233, City Hall

The Council met.

Present: Acting Mayor Charters
Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino,
Eisenberger, Jackson, Merling, Anderson, D'Amico, Ross.

Absent: Mayor Morrow - Civic Business
Alderman W. McCulloch - Another Commitment

The purpose of this special meeting of City Council was to reconsider Council's decision of 1993 September 28 respecting the date of Halloween.

RECONSIDERATION OF RESOLUTION

Conducting Halloween activities on Saturday instead of Sunday

It was moved by Alderman Drury and seconded by Alderman Morelli that Section 20 of the Eighteenth Report of the Finance and Administration Committee for 1993 which read as follows, be reconsidered:

"20. That in keeping with past tradition, the Citizens of Hamilton be encouraged to conduct their Halloween activities on Saturday, October 30, 1993".

Recorded vote to reconsider resolution.

YEAS: Aldermen Cooke, Agro, Drury, Morelli, Copps, Wilson, Agostino,
Eisenberger, Jackson, D'Amico. -10.

NAYS: Acting Mayor Charters, Aldermen Merling, Anderson. -3. **CARRIED.**

* * * * *

It was moved by Alderman Drury and seconded by Alderman Morelli that Section 20 of the Eighteenth Report of the Finance and Administration Committee for 1993 be amended to read as follows:

"20. That the citizens of Hamilton be encouraged to conduct their Halloween activities on Sunday, October 31, 1993."

Recorded vote on amended resolution

YEAS: Aldermen Cooke, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, D'Amico. -9.

NAYS: Acting Mayor Charters, Aldermen Jackson, Merling, Anderson, Ross. -5.
CARRIED.

RESOLUTION

Cancellation of regular meeting - October 12, 1993

It was moved by Alderman Drury and seconded by Alderman Morelli that the regular meeting of City Council scheduled for Tuesday, October 12, 1993 be cancelled on the understanding that, if necessary, a Special Meeting of Council will be arranged at the call of the Chair.

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: -0. **CARRIED.**

ADOPTION OF BILLS

It was moved by Alderman Cooke and seconded by Alderman Morelli that Bill No. H-56 be now read a first time.

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Cooke, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, D'Amico, Ross. - 14.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Morelli that Bill H-56 be now read a second time.

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Cooke, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: Alderman Merling. -1.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Morelli that Bill H-56 be now read a third time, signed, sealed and enrolled as a by-law.

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: Alderman Merling. -1.

CARRIED.

1993 October 5

* * * * *

City Council then adjourned at 7:10 o'clock p.m.

* * * * *

Taken as read and approved.

Alderman B. Charters, Acting Mayor

John Thompson, Acting Clerk
1993 October 5

URBAN/MUNICIPAL
CA4 ON HBL AOS
M21
1993

1993 October 26

Minutes of Hamilton City Council
1993 October 26
7:30 o'clock p.m.
Council Chamber

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps,
Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson,
Ross, D'Amico.

Mayor R. M. Morrow called the meeting to order.

* * * * *

The Council meeting commenced with the playing of the National Anthem.

* * * * *

Reverend Alan MacPherson, Central Presbyterian Church led Council in prayer.

* * * * *

Mayor R. M. Morrow presented Certificates of Appreciation to the following:

- (a) Debra Vivian and David Dayler for their creative leadership in organizing the very successful 20th Anniversary Gala Celebration of Hamilton Place.
- (b) Carmen Nemeth and Cheryl York for their creative leadership and dedication in organizing Arts Awareness Month.
- (c) Greg Bartolotta, Manager, Beaver Lumber, Hamilton Mountain, Jake den Hollander, Manager, Beaver Lumber, Hamilton West, and Enzo Bonitatibus, Manager, Beaver Lumber, Hamilton East in recognition of the excellent support the Beaver Lumber Stores have given to the Hamilton Tiger Cats.

* * * * *

Mayor R. M. Morrow proclaimed the following:

- (a) "Schizophrenia Awareness Month" - 1993 October
- (b) "International Lupus Awareness Month" - 1993 October
- (c) "United Nations Week" and "Disarmament Week" - 1993 October 24-31

* * * * *

The minutes of the regular meeting held 1993 September 28 and the minutes of the special meeting held 1993 October 5 were adopted as circulated.

CORRESPONDENCE

1. Letter from the City of Burlington dated 1993 October 13 regarding LaSalle Park Pavilion Structural Restoration Project.

Referred to the Parks and Recreation Committee.

2. Application dated 1993 September 30 from Dr. Anthony Tartaglia, Hamilton, Ontario for removal of the "H" Holding provision from the "H" (Community Shopping and Commercial, etc.) District modified for property at 682 Upper James Street, Hamilton, Ontario.

Received.

3. Application dated 1993 October 5 from Nicolo Caluori, Ancaster, Ontario for a further modification to the "G" (Neighbourhood Shopping Centre, etc.) District regulations for property located at No. 930 Upper Paradise Road, Hamilton, Ontario.

Received.

4. Application dated 1993 October 5 from DiCenzo Construction Company Limited, (Antonio DiCenzo, President), Hamilton, Ontario for changes in zoning from "R-4" (Small Lot Single-Family Detached) District to "RT-30" (Street Townhouse) District, modified (Blocks "1" and "4"); "RT-20" (Townhouse Maisonette) District, modified to "R-4" (Small Lot Single-Family Detached) District (Block "2"); and "RT-20" (Townhouse Maisonette) District, modified to "RT-30" (Street Townhouse) District, modified (Block "3"), for lands located west of Upper Gage Avenue and north of Terni Boulevard, Hamilton Ontario.

Received.

5. Application dated 1993 October 18 from 645437 Ontario Limited, c/o A. Barzilav, Don Mills, Ontario for a further modification to the established "HH" (Restricted Community Shopping and Commercial) District regulations for property located at No. 998 Upper Wentworth, Hamilton, Ontario.

Received.

6. Application dated 1993 October 19 from P. X. Dermody Funeral Home, Hamilton, Ontario for removal of the "H" - Holding provision from the "H" - "H" (Community Shopping and Commercial etc. Holding) District, modified, for property located at No. 796 Upper Gage Avenue, Hamilton, Ontario.

Received.

7. Letter dated 1993 October 6 from J. D. Thompson, Acting City Clerk regarding an objection to By-law No. 93-185 respecting property at the rear of 1011 Queenston Road (South of Berkindale Drive).

No Action.

8. Letter dated 1993 October 6 from J. D. Thompson, Acting City Clerk regarding an objection to By-law No. 93-190 respecting property at 236-250 Rymal Road West.

No Action.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Mayor's Report, and the Finance and Administration Committee be now considered in Committee of the Whole with Alderman Anderson in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - THIRTEENTH REPORT
--

Section 23 Re: West Central Region Branch - MOEE - Storage of PCB by Management Board Secretariat to their Hamilton Psychiatric Hospital PCB Storage site

It was moved by Alderman Jackson and seconded by Alderman Merling that Section 23 of the Thirteenth Report for 1993 of the Transport and Environment Committee be referred back and that appropriate staff be in attendance when this matter is reconsidered.

CARRIED.

* * * * *

Section 25 (a) (ii) Re: Hamilton Harbour Commissioners - Install railway spur lines to serve Pier 15 - Annual Fee

It was moved by Alderman Merling and seconded by Alderman Jackson that Section 25 (a) (ii) of the Thirteenth Report of the Transport and Environment Committee for 1993 be amended by deleting the amount of \$6,742.31 and substituting the amount of \$692.33 in lieu thereof.

CARRIED.

PARKS AND RECREATION COMMITTEE - SEVENTEENTH REPORT

Section 12 Re: Molson Restaurant Three Pitch League to sell beer at Globe Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, D'Amico, Ross. - 15.

NAYS: Alderman Jackson -1.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE - FIFTEENTH REPORT

PLANNING AND DEVELOPMENT COMMITTEE - SIXTEENTH REPORT

Section 2 Re: Zoning Application 93-27: J. Mota - 17296 Canada Limited (Imperial Oil) - 528 Mohawk Road East.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Charters. -1.

CARRIED.

* * * * *

Section 4 Re: Hamilton Disabled Programme - grants of up to 50% to a maximum of \$5,000.

It was moved by Alderman Drury and seconded by Alderman Wilson that Section 4 of the Sixteenth Report of the Planning and Development Committee for 1993 be referred back to the Planning and Development Committee. **CARRIED.**

* * * * *

Re: Rule No. 8 of Procedural By-law - Demolition Permit - 131 East 19th Street

It was moved by Alderman Drury and seconded by Alderman Wilson that Rule No. 8 of the Procedural By-law 82-203 be invoked for this meeting of City Council in order to consider a resolution regarding the issuance of a demolition permit for 131 East 19th Street. **CARRIED.**

* * * * *

Section 5 Re: Demolition Permit - 131 East 19th Street

It was moved by Alderman Drury and seconded by Alderman Wilson that Section 5 of the Sixteenth Report of the Planning and Development Committee for 1993 be amended by adding Subsection (d) as follows:

(d) 131 East 19th Street. **CARRIED.**

MAYOR'S REPORT - THIRD REPORT

FINANCE AND ADMINISTRATION COMMITTEE - TWENTIETH REPORT

Section 1 (b) Re: By-law 93-069: Taxicab Priority List - late renewal filing fee

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps, -1.

CARRIED.

* * * * *

Section 17 Re: General Grants Policy - Grant Budget Allocation for "Special Projects" and grant amount limit.

It was moved by Alderman Charters and seconded by Alderman Jackson that Section 17 of the Twentieth Report of the Finance and Administration Committee be amended as follows:

1. That subsection (a) be amended by increasing the figure "5%" in the first line to "10%".
2. That subsection (b) be amended by reducing the figure "20%" in the third line to "10%".

LOST

* * * * *

Section 17 (a) Re: General Grants Policy - Grant Budget Allocation for "Special Projects"

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Charters, Jackson. -2.

CARRIED.

* * * * *

Section 17 (b) Re: General Grants Policy - Grant Amount Limit

Recorded vote.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Anderson, D'Amico, Ross. -13.

NAYS: Mayor Morrow, Aldermen Charters, Jackson. -3. **CARRIED.**

Section 17 (g) Re: General Grant Policy Re: Discontinuing receiving comments from Arts Advisory

Recorded vote.

YEAS: Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Mayor Morrow, Aldermen Kiss. -2. **CARRIED.**

* * * * *

Section 18 Re: Appointment - City's Insurance Brokers of Record

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Agostino. -1. **CARRIED.**

* * * * *

Section 19 Re: City's Retirement Incentive to the Hamilton Professional Firefighters Association - Letter of Understanding

It was moved by Alderman Ross and seconded by Alderman D'Amico that Section 19 of the Twentieth Report for 1993 of the Finance and Administration Committee be deleted, and the following inserted in lieu thereof:

19. That the Letter of Understanding dated 1993 October 25 between the Hamilton Professional Fire Fighters Association and the City of Hamilton, as herewith attached and marked Appendix "B", be approved. **CARRIED.**

* * * * *

Section 20 Re: Minister of Revenue - Sale of Trading Cards

It was moved by Alderman Agostino and seconded by Alderman Eisenberger that Section 20 of the Twentieth Report for 1993 of the Finance and Administration Committee be amended to add the following as Sub-Section (c):

- (c) That the City Solicitor be directed to pursue Private legislation, if necessary to prohibit the sale of these Trading Cards in the City of Hamilton.
CARRIED.

* * * * *

Section 22 Re: Liquor Licence Board of Ontario - Scotsman Pub - 96 George St. - Soccer Sporting Events.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Wilson. -1. **CARRIED.**

* * * * *

Section 24 (b) Bill H-58: A By-law to Authorize West Mountain Bocce Program

It was moved by Alderman Copps and seconded by Alderman Morelli that Section 24 (b) of the Twentieth Report for 1993 of the Finance and Administration Committee be referred back.
CARRIED.

ACTING MAYOR

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Mayor's Report, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-77, A-78, A-79.

C-74, C-75, C-76, C-77, C-78, C-79, C-80.

H-57, H-59.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Anderson in the chair. (second reading).

A-77, A-78, A-79.

C-74, C-75, C-76, C-77, C-78, C-79, C-80.

H-57, H-59.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-77, A-78, A-79.

C-74, C-75, C-76, C-77, C-78, C-79, C-80.

H-57, H-59.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-77, A-78, A-79.

C-74, C-75, C-76, C-77, C-78, C-79, C-80.

H-57, H-59.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 9:10 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

S. G. Hollowell, Acting City Clerk
1993 October 26

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **THIRTEENTH** Report for 1993 and respectfully recommends:

1. (a) That a "No Parking" regulation be implemented on the north side of Salmond Court commencing at Upper Ottawa Street and extending to a point 124 feet westerly therefrom; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
2. (a) That the existing "Permit Parking" regulation on the south side of Jackson Street West between Queen Street South and Ray Street South be revised, such that the regulation commences 122 feet west of Queen Street South and extends to Ray Street South; and
(b) That a "Three Hour Parking Time Limit, 24 hours/day, seven days a week" regulation be implemented on the south side of Jackson Street West commencing at Queen Street South and extending to a point 122 feet westerly therefrom; and
(c) That the City Traffic By-law 89-72 be amended accordingly.
3. (a) That a "One Hour Parking Time Limit, 8:00 a.m to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of McElroy Road West between Upper James Street and West 2nd Street; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
4. (a) That an "Alternate Side Parking" regulation and a "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Cloverhill Road between Brantdale Avenue and Gateview Drive, such that parking is prohibited:

- on the east side of the street during the months of December, January, February and March and from the 1st to the 15th of April, May, June, July, August, September, October and November; and
 - on the west side of the street from the 16th to the last day of April, May, June, July, August, September, October and November; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
5. (a) That a "Permit Parking" regulation be implemented on the west side of Strathearne Avenue commencing at a point 183 feet south of the north end of the street and extending to a point 28 feet southerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Laurie Schiestel, No. 391 Strathearne Avenue; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.
6. (a) That a "No Stopping Wheelchair Loading Zone, 10:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the east side of Park Row North commencing at a point 84 feet north of Roxborough Avenue and extending to a point 19 feet northerly therefrom; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
7. (a) That a "Permit Parking" regulation be implemented on the east of Garfield Avenue North, commencing at the north end and extending to a point 22 feet southerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Natale Labate, 40 Garfield Avenue North; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.
8. (a) That a "Permit Parking" regulation be implemented on the east side of Leeming Street commencing at a point 31 feet north of Cannon Street East and extending to a point 18 feet northerly therefrom; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

9.
 - (a) That the existing "Permit Parking" regulation on the west side of Ray Street North commencing at a point 75 feet south of York Boulevard and extending to a point 20 feet southerly therefrom be removed; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
10.
 - (a) That the existing "No Stopping, Wheelchair Loading Only, 10:00 a.m. to 9:00 p.m., Monday to Friday" regulation on the south side of South Bend Road East commencing at a point 280 feet east of East 16th Street and extending to a point 36 feet easterly therefrom be revised such that it will be in effect from 8:00 a.m. to 9:00 p.m., Monday to Friday; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
11.
 - (a) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Queensdale Avenue East commencing at a point 33 feet west of the west curb line of Nancy Street and extending to a point 120 feet westerly therefrom be extended a further 40 feet westerly; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
12.
 - (a) That a "No Stopping" regulation be implemented on the west side of Lower Horning Road commencing at Whitney Avenue and extending to a point 71 feet southerly therefrom; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
13.
 - (a) That the existing hours of the School Crossing Guard at the intersection of Crockett Street and Upper Gage Avenue be extended to include the lunch time school crossing periods; and
 - (b) That the extended times be considered to be on a trial basis until the end of 1993.
14. That the School Crossing Guard service be discontinued during the lunch hour period at the signalized intersection of Barton Street East and Nash Road.

15. (a) That the following streets be designated as snow routes:
 - Eva Street between Rymal Road and Eaglewood Drive
 - Eaglewood Drive between Eva Street and Eleanor Avenue(b) That the City Traffic By-law 89-72 be amended accordingly.
16. (a) That a four-way stop control be implemented at the intersection of Brucedale Avenue East and East 25th Street; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
17. (a) That a four-way stop control be implemented at the intersection of Brucedale Avenue East and East 8th Street; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
18. (a) That the portion of Section 44 of the Eighth Report of the Transport and Environment Committee for 1993 adopted by City Council on 1993 June 29, which refers to the approval of engineering schedules for "Allison Estates - Phase 1", Hamilton be deleted.
(b) i. That the submitted schedule of works be adopted for inclusion in the subdivision agreement with the Owners for the estimated cost of services in:

"ALLISON ESTATES - PHASE 1", Hamilton

City's Share - \$186,454.94, Owner's Share - \$292,573.06

 - ii. That the Mayor and City Clerk be authorized and directed to execute the proposed subdivision agreement with the owners of "Allison Estates - Phase 1", Hamilton as well as any other related documents for this development, subject to the approval of the City Solicitor.
 - iii. That approval of the above noted clauses be subject to the condition that no work be commenced until the final plan and subdivision agreement has been registered.

- iv. That in the event the Owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement, they should be allowed to do so at their own risk provided they enter into a standard agreement with the City of Hamilton for Pre-Servicing.
 - v. That the City's share of services in "Allison Estates - Phase 1", Hamilton (\$43,710.79) be approved and that the Finance and Administration Committee recommend the source of funding for this project.
19. (a) That the following City land be incorporated into the street in order to provide access to newly registered subdivision developments:
- Dalcar Court Part 6 Plan 62R-12332
- (b) That the by-law to carry out the incorporation of the said lands into the foregoing street be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
20. (a) i. That the following provisions be approved and completed of the Agreement by Owner To Accept Compensation, made by Albert Boxinbaum, on 1993 August 31, and scheduled to close on or before 1993 November 24, for land expropriated on 1989 September 25 for highway purposes, having a frontage of 40.234 metres (132 feet) along the easterly limit of Upper James comprising an area of .463 hectares (1.145 acres) (described as Parts 1 to 8 on Expropriation Plan No. 9535). This settlement includes final compensation at \$645,039.90; professional fees and disbursements (inclusive of G.S.T.) at \$31,559.56; plus 6% interest on unpaid compensation from 1989 September 25 to date of closing. (\$557,189.90 of the said compensation has already been paid to the former owner on 1990 October 4).
- ii. That the closing of the said expropriation settlement be conditional upon closing the purchase of adjacent land fronting on Upper James from Albert Boxinbaum authorized below. The Option to Purchase such land and the settlement of the said expropriation are to be accepted by Council concurrently and both property transactions are to be finalized contemporaneously.

iii. That it is also understood and agreed,

that a One Foot Reserve shall be located by the City along the easterly limit of the land expropriated (Part 7, Expropriation Plan No. 9535) and along the easterly limit of the land being purchased by the City (the westerly 180.245 metres (591.35 feet) more or less, of Part 14, Plan 62R-9741).

that Albert Boxinbaum, (his heirs, executors and administrators, successors, agents, and assigns) be granted a right-of-way over the southerly 10 feet of Parts 1,7 and 8, Expropriation Plan No. 9535 for access to link his remaining rear land with Upper James Street until Parts 1, 7 and 8 are part of the highway or until the owner of the remaining rear land pays its share of costs to remove the said one foot reserve, whichever occurs first.

- (b) i. That an Option to Purchase Agreement, executed by the owner, Albert Boxinbaum, on 1993 August 31, scheduled to close on or before 1993 November 24, for the City's purchase of the remaining frontage of 1477 Upper James described as the westerly 180.245 metres (591.35 feet) more or less, of Part 14, Plan 62R-9741, comprising an approximate area of 0.26 hectares (0.642 acres) more or less, be approved and completed, for a purchase price of \$321,000.
 - ii. That the closing of this City purchase be conditional upon closing the said settlement of the expropriation authorized above.
 - (c) i. That the City Treasurer recommend the method of financing the said expropriation settlement and the said purchase.
 - ii. That the Mayor and City Clerk be authorized and directed to execute the necessary documents for the settlement and the purchase.
21. (a) That the Chairman of the Transport and Environment Committee or his designate be authorized to attend the 1994 Ontario Good Roads Association Annual Conference to take place on 1994 February 20 to February 23, Toronto, Ontario.
- (b) That costs for attendance be provided from the Aldermen Travel Account No. CH55201 10010 from the 1994 Operating Budget.

22. (a) That the appropriate By-law for the closure and sale of a portion of Belview Avenue, being designated as Parts 2 and 3 on Plan 62R-12325, be forwarded to City Council for enactment.
- (b) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the By-law.
23. (a) That the West Central Region Branch of the Ontario Ministry of the Environment and Energy (MOEE) be advised that the City of Hamilton has no objection to the transfer and storage of PCB waste by the Management Board Secretariat to their Hamilton Psychiatric Hospital PCB storage site; provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry and that all applicable City of Hamilton and Regional By-laws are complied with fully.
- (b) That a copy of this report and its attachments be submitted to the West Central Region Branch of the MOEE for their information. **REFERRED BACK**
24. That Section 39 of the Eleventh Report of the Transport and Environment Committee for 1993, respecting the implementation of three-way stop control at the intersection of Cranbrook Drive and Stanlow Crescent, approved by City Council at its meeting of 1993 August 31 be deleted in its entirety and replaced with the following;
- (a) That three-way stop control be implemented at the intersection of Cranbrook Drive and Greenshire Drive; and
- (b) That the City Traffic By-law 89-72 be implemented accordingly.

25. (a) That the application of R. A. Edwards, agent for The Hamilton Harbour Commissioners (605 James North, Hamilton L8L 1K1) to install railway spur lines to serve Pier 15, crossing the Northerly Limits of Wentworth Street, Niagara Street and Hillyard Street, be approved, subject to the following conditions:
- i. That the applicant enter into an Encroachment Agreement in a form satisfactory to the Commissioner of Transportation/Environmental Services and the City Solicitor;
 - ii. That the applicant pay a first year fee of \$230. for processing and registration and an annual fee of \$692.33; **AMENDED AND CARRIED.**
 - iii. That the applicant's contractor be bonded with the Region of Hamilton-Wentworth and the City of Hamilton to make excavations on City Streets;
 - iv. That the applicant build a structure to protect the existing 15" and 18" sewers on Hillyard Street, satisfactory to the Commissioner of Transportation/Environmental Services;
 - v. That the applicant be responsible for any costs incurred by Hamilton Hydro and/or Bell Canada for relocation of any existing plant;
 - vi. That during operation of the spur lines the applicant provide a flagman for protection of the public during any train movement within the road allowance;
 - vii. That the applicant agree that the traffic flow will not be disrupted by the trains for a period of more than 10 minutes;
 - viii. That the applicant install, repair, maintain and replace all cross bucks, ballasts, steel rails, tie plates, spikes, wood ties and asphalt within the road allowance, at no expense to the City;
- (b) That the Mayor and the City Clerk be authorized to sign and execute all necessary documents to execute this agreement;

26. That leave be granted to introduce the following Bills:

- (a) Bill A-77 By-law to Incorporate Part 6, Plan 62R-12332 into Dalcarr Court
- (b) Bill A-78 By-law to amend By-law 89-72 to Regulate Traffic
- (c) Bill A-79 By-law to amend By-law 89-72 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

K. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1993 October 18

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **SEVENTEENTH** Report for 1993 and respectfully recommends:

1. That permission be granted to "The Cats' Claws", the Tiger Cats Fan Club, to utilize the south west corner of Cannon Street East and Balsam Avenue in front of Brian Timmis Stadium for a "Tiger Cat Walk of Fame" and upcoming events notice board.
2. That the "Action Plan for the Reduction of Illegal Dumping" attached hereto and marked Appendix "A" be endorsed and forwarded to the Regional Municipality of Hamilton-Wentworth for their consideration with the request to implement the recommendations contained therein.
3.
 - (a) That the funding allotment for the Harbourfront Park remediation project be increased from \$9,725,340.00 to \$9,913,960.00 with the additional \$188,620.00 from accrued interest on the \$7,500,000.00 grant from the Ministry of the Environment and Energy and further that any additional accrued interest monies to December 31, 1993 be added to the funding allotment for Harbourfront Park.
 - (b) That the action taken by the Director of Public Works to extend the contract previously awarded to Kelt Contracting Corporation of Grimsby in April, 1993 by the amount of \$149,717.56 including all taxes over and above the original contract amount of \$326,053.10 for the supply and planting of various plant materials at Harbourfront and Pier 4 Parks and funded from the Harbourfront Park Remediation - Stage I Account No. CF5200 419254001 (\$100,000.00) and Harbourfront Park Remediation - Stage II Account No. CF5200 419254003 (\$49,717.56) be approved.
 - (c) That the City Solicitor be requested to prepare amendments to the legal agreement with Kelt Contracting Corporation to incorporate the extension to the scope of work.

4.
 - (a) That the Director of Public Works be authorized to dismantle the fountain located at Delta Park.
 - (b) That components of the fountain originating from the 1860 Gore Park Fountain be dismantled and retained for future use.
 - (c) That any re-development proposal be submitted to the Parks and Recreation Committee for consideration.
5.
 - (a) That the City of Hamilton participate in the Children's International Games 1994, February 11-13 with representatives from the Hamilton Chedoke Racing Team with costs to the City not to exceed \$6,000.
 - (b) That this recommendation be referred to the Finance and Administration Committee to recommend the method of financing.
6.
 - (a) That the provisional budget for the hosting of the Children's International Games in Hamilton in 1994 be approved by the Parks and Recreation Committee.
 - (b) That the City's contribution of \$114,000. be approved and referred to the Finance and Administration Committee to recommend the method of financing.
7.
 - (a) That the Corporation of the City of Hamilton confirm its interest and capability to host the Canadian Junior Gold Championships at Chedoke Civic Golf Course under the terms and conditions in the bid proposal to the R.C.G.A. in 1988.
 - (b) That the City of Hamilton commit to complying with the by-laws of the Royal Canadian Golf Association using a phased-in approach to membership requirements of the R.C.G.A. and the O.G.A.
8. That the lobby of the Cancer Centre on Concession Street be endorsed by City Council as the preferred location for the statue honouring the late Dr. Cecilioni.
9.
 - (a) That permission be granted to the Director of Culture and Recreation to purchase a large banner with the remaining monies for Fly the Flag for Canada Committee.
 - (b) That permission be granted to the Treasurer to close the Fly the Flag account.

10. (a) That the City Solicitor be directed to prepare a by-law authorizing an exchange of lands between Mount Hamilton Cemetery and Turner Park as detailed on the attached Appendix "B", for execution by City Council.
- (b) That a notice of by-law and details of the land exchange be forwarded to the Ministry of Consumer and Commercial Relations, Cemeteries Division, upon execution.
11. (a) That community groups who receive City support and/or subsidy for facilities, programs, and services, provide to the City of Hamilton, through the Culture and Recreation Department, all financial records, registration lists, membership lists, operating policies and procedures, guidelines or by-laws and any other information pertaining to public activities at the request of the Director.
- (b) That failure of the community group to comply with the above condition will result in:
 - i. The withdrawal of support and/or subsidy for these activities.
 - ii. The community group, in its current structure, will forfeit the recognition of the City of Hamilton.
12. That permission be given of the action taken by the Director of Culture and Recreation for approval to the Molson Restaurant Three-Pitch League to sell beer during the occasion of their Three-Pitch Baseball Game, scheduled at Globe Park, on 1993, September 26, under the terms and conditions which includes the following:
 - (a) The proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
 - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
 - (c) That the Concessionaire be contacted to make the necessary arrangements for the provision of food.
 - (d) That the applicant assume responsibility for all labour related costs as a result of this event.

- (e) That Special Duty Officers, as may be deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Jackson -1.

CARRIED.

13. That approval be given to Dundurn Castle staff to apply for the following applicable archaeology grants:

(a) Ontario Heritage Foundation - Provincial

- i. Grant In-Aid-Of Publication
- ii. Publication Award
- iii. History Research Grant
- iv. Archaeology Research Grant

(b) Royal Canadian Geographical Society

(c) Access to Archaeology Program - Federal

14. That the following artifacts be deaccessioned/disposed of from the Hamilton Military Museum collection and offered to Westfield Heritage Centre or to any other suitable institution.

Single Shot Pistol

1976.93.1 Black and white pistol, listed as Spanish or Moroccan tourist item. Ivory inlay in poor condition. Flintlock mechanism not functional.

Muskets and Rifles

1979.675.1 European military style percussion lock musket. End of stock broken off, forward barrel band and spring missing, hammer spring broken, stock cracked.

Sporting Rifles and Smoothbores

- 1979.676.1 Small calibre Liege sporting rifle, chequered butt, octagonal barrel, fair condition with considerable rust to metal portions. Barrel permanently plugged.
 - 1979.677.1 Short barrelled weapon
 - 1979.678.1 U.S. rifle cut down for sporting use. Considerable rust with deterioration to hammer. Nipple and forward lock plate screw missing. Forward end of stock worn away. Long crack either side of stock.
 - 1979.684.1 Small calibre Liege sporting rifle, octagonal barrel, fair condition with considerable rust to metal portions.
 - 1979.685.1 Breechloading rifle with chequered stock, cut down for sporting use. In good condition.
 - 1979.686.1 U.S. rifle (Providence Tool Co.), cut down for sporting use. Ramrod and two screws missing. One screw misaligned. Barrel not refinished where stock and barrel band removed.
 - 1979.866.1 Sporting percussion cap "M. Dixon" with silver escutcheon and pin plate. Wood finish bubbled, stock broken either side along a barrel with one piece missing. Metal support for barrel partially detached. Percussion hammer out of alignment and held with replacement screw.
15. That the 1858 Pattern Long Enfield Rifle (M1983.208.1) be deaccessioned and traded for an 1856 version of the weapon.

RESPECTFULLY SUBMITTED,

Kevin C. Christenson
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1993 October 19

ACTION PLAN FOR THE REDUCTION OF ILLEGAL DUMPING

Background

City Council directed Public Works staff to meet with affected agencies to address the problem of illegal dumping.

Through a series of workshops involving representatives from various volunteer organizations, Regional and City staff and representatives from the Ministry of Environment and Energy a number of action steps were defined to facilitate discussion and consideration of the illegal dumping problem by Municipal and Regional Councils.

The recommendations proposed via the workshops include:

- 1) That the Regional Municipality of Hamilton-Wentworth establish a formal multi-agency committee to prepare a detailed action plan for the reduction of illegal dumping.
- 2) That the committee be authorized to prepare a public awareness campaign on illegal dumping focusing on:
 - increased community involvement ie: neighbourhood watch, community based policing.
 - better educational programming, increased knowledge of roadside and bulk pick up services.
 - transfer station: hours of operation and fee schedule.
 - identify alternatives for unacceptable material (private industry/building materials).
 - solicitation of media coverage both positive and negative.
- 3) That the committee be authorized to facilitate the co-ordination of the various agencies involved in the enforcement of laws pertaining to illegal dumping focusing on:
 - Programs for prevention.
 - Signage outlining by-laws, fines, increased penalties.
 - Illegal dumping hotline (report a dumper).
 - Increased by-law enforcement (by-law officer).
 - Re-introduction of recycling referral directory for distribution to relative agencies.
- 4) That this committee be authorized to prepare a plan to expedite our present waste removal services focusing on:
 - One stop dumping at the two transfer stations (recyclable bins located within the confines of the transfer station area).
 - Express lines for residential dumping.
 - Make the transfer stations more convenient with greater service to residents.
- 5) That this committee forward a final plan with cost/benefit implications to the appropriate standing committees of Regional and City Council.

1993 October 26

**Illegal Dumping Workshop - June 1, 1993
Attendee List**

Doug Wallace, Amity Goodwill Industries

Ralph Hackett, Hamilton Central Lions Club

Paddy Chitty, Keep Hamilton Clean Citizen's Committee

John Norris, Mountainview Residents of Hamilton Inc.

Ron Barker, Third Sector

Don McLean, Friends of Redhill Valley

Stan Hoffman, City of Stoney Creek

Paul Pielt, Hamilton Region Conservation Authority

Ross Tristani, Hamilton-Wentworth Roman Catholic Separate School Board

Lynda Kuhn, Philips Environmental

Paul Beneteau, Bruce Trail Association

John Struger, Hamilton Naturalist's Club

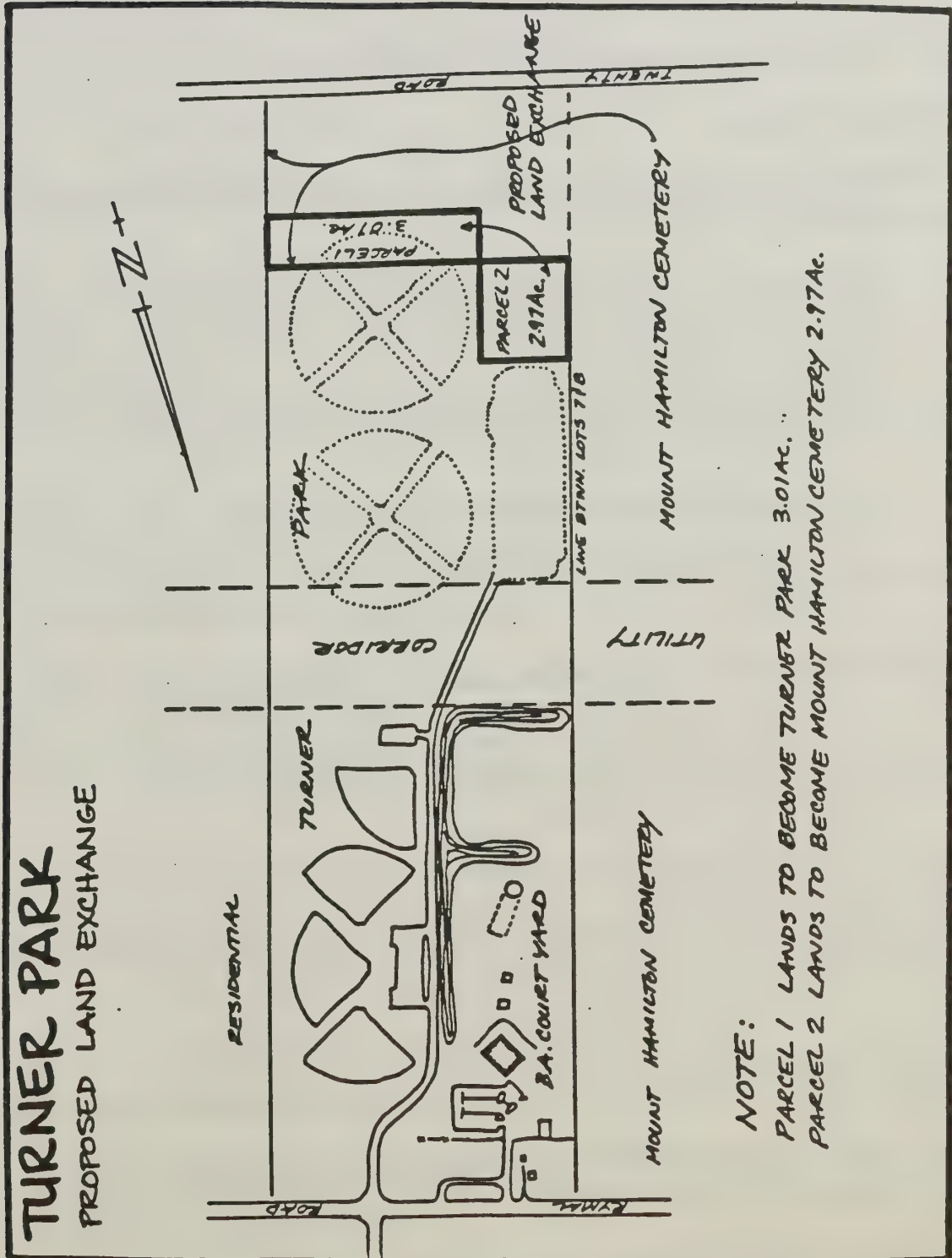
Alderman Dave Wilson, City of Hamilton

Harry Reinhold, former Superintendent of Streets & Sanitation

Public Works staff

1993 October 26

Appendix "B" as referred to
in Section 10 of the SEVENTEENTH
Report of the Parks and
Recreation Committee for
1993



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIFTEENTH** Report for 1993 and respectfully recommends:

1. That approval be given to amended Zoning Application 93-24, Mr. W. Heck, owner, requesting a further modification to the established "D" (Urban Protected Residential, One and Two-Family Dwellings, etc.) District regulations, to permit a 3 storey - 5 unit mixed commercial/residential building, for property located at Nos. 305 and 307 Main Street West, as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That the "D" (Urban Protected Residential, One and Two-Family Dwellings, etc.) District regulations as contained in Section 10 of Zoning By-Law No. 6593, as amended by By-Law No. 73-303, applicable to the subject lands, be further modified to include the following variances as special requirements:
 - i. Notwithstanding Section 10.(1) of Zoning By-law No. 6593, a multiple dwelling containing a maximum of five (5) dwelling units shall be permitted, and two (2) ground floor dwelling units may be converted to one or more of the following uses, provided that the maximum gross floor area of each unit shall not exceed 96 m²:
 1. Commercial Uses:
 - (i) Professional Office or Business Office, excluding a Medical and Dental Office;
 - (ii) Photographer's Studio, Artist's Studio;
 - (iii) Barber Shop, Hairdressing Establishment, Beauty Parlour;
 - (iv) Tailor Shop, Dressmaking Establishment.

2. Commercial Boutique Type Uses:
 - (i) Music and Record Shop;
 - (ii) Gift Shop;
 - (iii) Art Gallery;
 - (iv) Retail Book Store;
 - (v) Wearing Apparel Shop, Millinery Shop.
3. The following accessory use to the commercial uses permitted under paragraphs 1. and 2. of sub-clause b):
 - (i) one ground sign or wall sign or projecting sign.
 - ii. That Sections 10.(3)(i) and (3)(ii) of Zoning By-law No. 6593 shall not apply;
 - iii. That a minimum of five (5) parking spaces shall be provided and maintained on-site;
 - iv. Notwithstanding Section 18A(7) of Zoning By-law No. 6593, the required parking spaces shall have a minimum length of 5.8 m;
 - v. Notwithstanding Sections 18A(11)(a) and (12)(a) of Zoning By-law No. 6593, a minimum 0.6 m wide landscape planting strip shall be provided and maintained along the easterly and westerly lot lines of the parking area, and a minimum 1.0 m wide landscape planting strip shall be provided and maintained along the southerly lot line;
 - vi. Notwithstanding Section 18A, Table 6, the required manoeuvring space aisle width for a required parking space shall be a minimum of 5.8 m.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1316, and that the subject lands on Zoning District Maps W-12 and W-13 be notated S-1316;

- (c) That the City be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-12 and W-13 for presentation to City Council: and,
 - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
2. For the Information of the Members of City Council, the Planning and Development Committee has appointed the following residents of the St. Clair Heritage District to the St. Clair Heritage District Advisory Committee:
- Donald Quick, 129 St. Clair Avenue
Zigmunt Cwierzinski, 131 St. Clair Avenue
- The Committee also appointed John Mokrycke as the L.A.C.A.C. representative.
3. That the Building Commissioner be authorized to issue demolition permits for the following:
- (a) 1328 Upper Wellington Street
 - (b) 70 Chestnut Avenue
4. That a Commercial Loan in the amount of fifteen thousand dollars (\$15,000.) be approved for Mary Elisabeth Keir and Michael Allen Keir. The interest rate will be 2 7/8 per cent amortized over 10 years.
5. (a) That the request of Mark A. Scholes, Solicitor for Rymal Square Development Inc. (Arthur Weisz, President), to remove part-lot control from Lots 2-30, inclusive, "Rymal Square Estates, Phase IV" plan of subdivision, 62M-743, be approved; and,
- (b) That following enactment of the enabling by-law, that the Regional Municipality of Hamilton-Wentworth (as delegates of the Minister of Municipal Affairs) be requested to grant approval to the by-law and endorse the same on the by-law; and
- (c) That following completion of the conveyances being permitted by the said by-law to remove part-lot control, a by-law be enacted to repeal the said by-law.

6. That leave be granted to introduce the following Bill:

Bill C-74 By-law to Amend By-law 86-73 as amended by By-laws No. 87-148, 92-058 and 93-065 respecting Members of the Board of Management of the Business Improvement Area Generally Bounded by King William Street, Mary Street, Main Street East and James Street North.

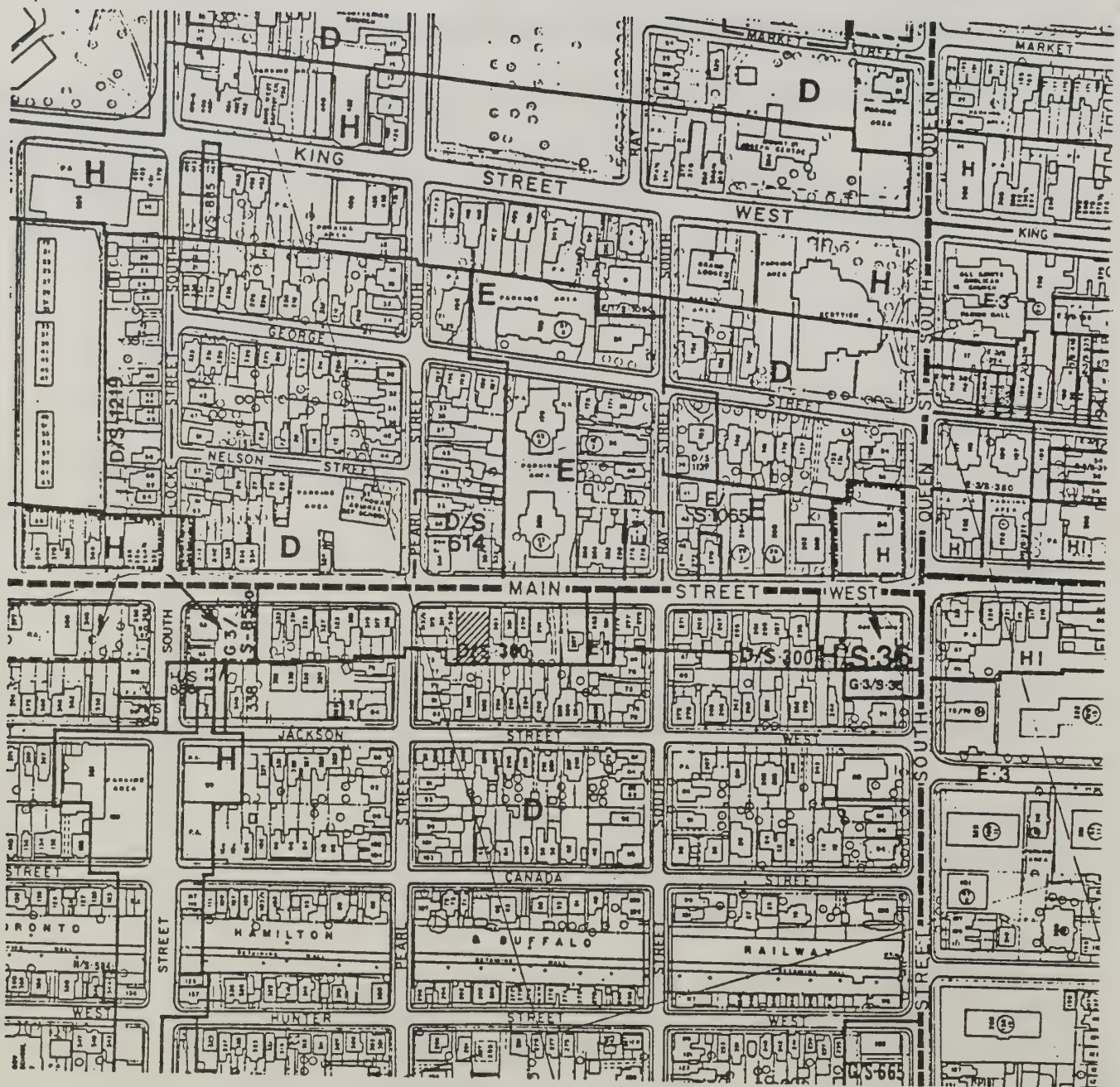
RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Susan K. Reeder, Acting Secretary
1993 October 6**

1993 October 26

Appendix "A" as referred to
in Section 1 of the FIFTEENTH
Report of the Planning and
Development Committee for
1993



Legend



Site of the Application



ZAC-93-24

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SIXTEENTH** Report for 1993 and respectfully recommends:

1. That approval be given to Zoning Application 93-29, Jorge Mota, owner, requesting a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations, to permit a 30 seat restaurant and take out food business, for property located at No. 1042 Barton Street East, as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That the "H" (Community Shopping and Commercial, etc.) District regulations, as contained in Section 14 of Zoning By-law No. 6593; applicable to the subject lands, be modified to include the following variance as a special requirement:
 - i. Notwithstanding Section 18A(36) of Zoning By-law No. 6593, a restaurant with a maximum seating capacity of 30 seats and take out food business shall be permitted within the existing building only.
 - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1317, and that the subject lands on Zoning District Map E-43 be notated S-1317;
 - (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-43 for presentation to City Council; and,
 - (d) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. A. That approval be given to Zoning Application 93-27, 172965 Canada Limited (Imperial Oil) c/o Vince Serratore, owner, requesting a modification to the "H" (Community Shopping and Commercial, etc.) District regulations, to permit redevelopment of the existing gas station and repair garage for a gas bar, car wash and convenience store (kiosk), on property located at No. 528 Mohawk Road East (south east corner of Mohawk Road East and Upper Sherman Avenue), as shown on the attached map marked as Appendix "B", on the following basis:
 - (a) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-Law No. 6593, be modified to include the following variances as special requirements:
 - i. Notwithstanding Section 14.(1)(xvii) of Zoning By-Law No. 6593, a mechanical car wash consisting of one bay, as an accessory use to a gas bar shall be permitted;
 - ii. A planting strip not less than 6.0 m in width shall be provided and maintained along the southerly lot line and no parking or other use shall be permitted within the planting strip;
 - iii. A planting strip not less than 3.0 m in width shall be provided and maintained along the northerly and westerly lot lines, except for any area used for vehicular access; and
 - iv. A visual/acoustical barrier not less than 1.8 m in height and not more than 2.0 m in height shall be provided and maintained along the southerly and easterly lot lines, except that no visual/acoustical barrier shall be situate less than 3.0 m in distance from the westerly lot line (Upper Sherman Avenue) or the northerly lot line (Mohawk Road East);
 - (b) That the amending By-Law be added to Section 19B of Zoning By-Law No. 6593 as Schedule S-1318, and that the subject lands on Zoning District Map E-38 be notated S-1318;
 - (c) That the City Solicitor be directed to prepare a By-Law to amend Zoning By-Law No. 6593, and Zoning District Map E-38 for presentation to City Council; and

- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

- B. That By-Law No. 79-275 as amended by By-Law No. 87-223 be amended by adding the subject lands to Schedule "A".

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Charters. -1.

CARRIED.

3. That, in accordance with the provisions of Section 42 of the Ontario Heritage Act, 1989, a heritage permit be approved for the revised plans for the proposed addition to the Hamilton Regional Indian Centre at 712 Main Street East, a designated building in the St. Clair Heritage Conservation District, for the east, south and north elevations.

4. (a) That the Hamilton Disabled Programme be amended to provide grants of up to 50% of the costs of accessibility work to a maximum of \$5,000.

- (b) That eligible funding projects include accessibility modifications for properties not eligible under the Provincial Government's Ontario Home Renewal-Disabled. This would include lodging homes, rental units, nursing homes, churches, day care centres, etc. **REFERRED BACK.**

5. That the Building Commissioner be authorized to issue demolition permits for the following:

(a) 757 West 5th Street

(b) 795 West 5th Street

(c) 68 Chipman Avenue

(d) 131 East 19th Street

ADDED AND CARRIED.

6. (a) That By-law No. 92-079 appointing the Barton Street B.I.A. Board of Management be amended to delete the following names:

Fabio Chiappetta
Paul Hamburg
Rob Brooker
Ann Coward
Ron Stewart
John Stassis

Your Bakery
Creations Pastry Shop
Gas Tank King
Angelo's Place
Bank of Montreal
Dr. Carburetor

- (b) That in accordance with the provisions of subsections 6 and 8 of Section 220 of the Municipal Act, R.S.O. 1990, City Council appoint the following persons to hold office as a member of the Barton Street Business Improvement Area:

Bernie Rouff
Lori Stokes
Janice Robinson

Rouff's Eatery and Sports
Silvestri's Paradise of Flowers
Royal Bank

- (c) That the City Solicitor be authorized and directed to amend By-law No. 92-079 pursuant to (a) and (b) above.

7. (a) That the originally approved Implementation Plan for the Central/Beasley PRIDE H.I.N.T. Program be amended to include the development of a community centre and the acquisition and development of land for a park at an upset estimated cost of \$711,800. as per the attached Schedule "C".
- (b) That subject to (a) the Parks and Recreation Committee be requested to endorse the development of a community centre and the acquisition and development of land for park purposes.

8. That leave be granted to introduce the following Bills:

- (a) C-75 By-law to Amend Zoning By-law No. 6593 respecting Lands Located in the West of Garth Street and South of Claudette Gate
- (b) C-76 By-law to Remove Land within the Rymal Square Estates, Phase IV Subdivision, Plan 62M-743 from Part Lot Control

- (c) C-77 By-law to Amend Zoning By-law No. 6593 respecting Land Located at Municipal No. 855 Upper Horning Road
- (d) C-78 By-law to Amend Zoning By-law 6593 respecting Lands Located at Municipal Nos. 478 and 488 Rymal Road East
- (e) C-79 By-law to Amend Zoning By-law No. 6593 as amended by Zoning By-law No. 92-032 respecting Land Located at Municipal Nos. 952-954 Concession Street
- (f) C-80 By-law to Amend Zoning By-law No. 6593 as amended by Zoning By-law No. 86-121 respecting Land Located at Municipal No. 304 Victoria Avenue North.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

Tina Agnello, Secretary
1993 October 20

1993 October 26

Appendix "A" as referred to
in Section 1 of the SIXTEENTH
Report of the Planning and
Development Committee for
1993



LEGEND

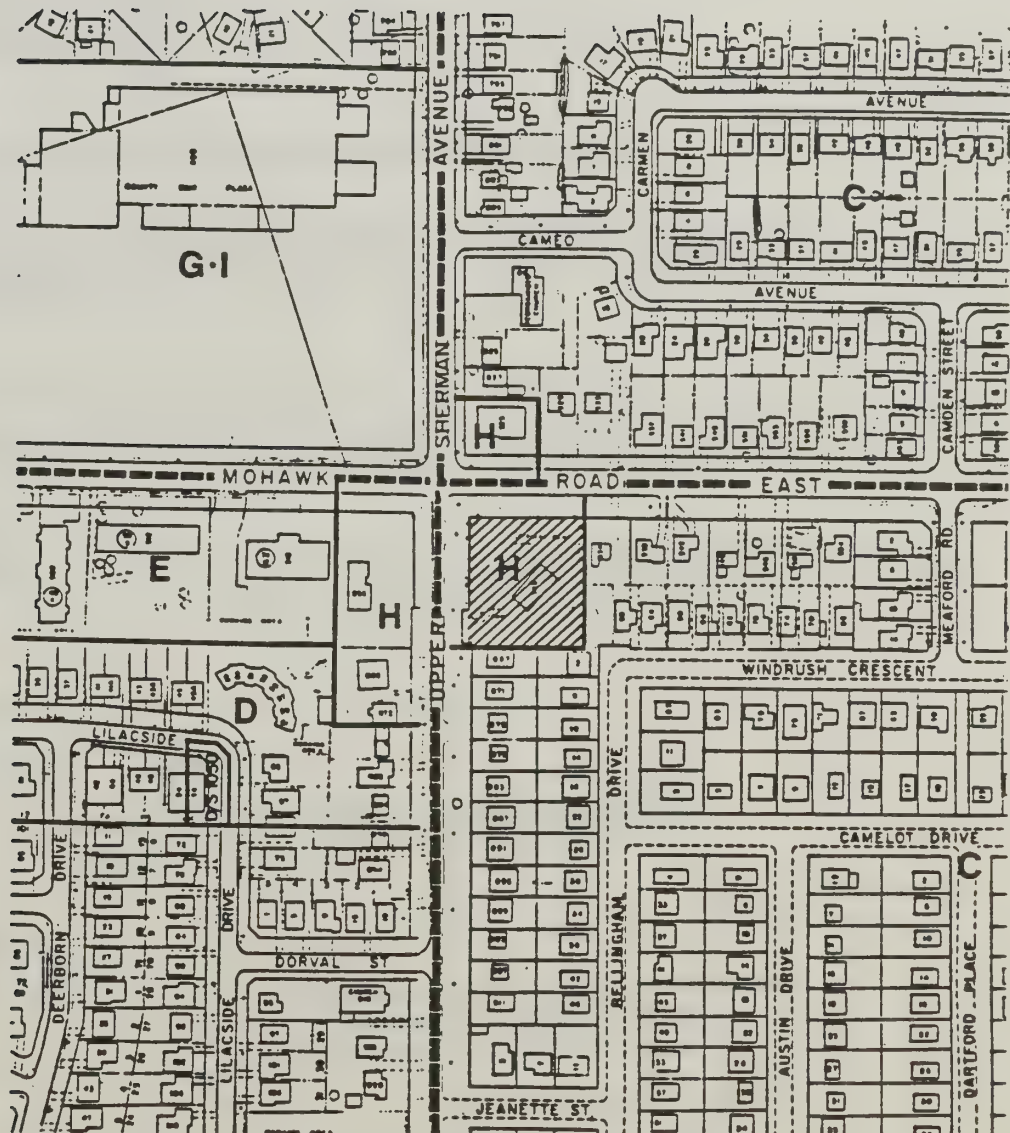


Site of the Application

ZAC-93-29

1993 October 26

Appendix "B" as referred to
in Section 2 of the SIXTEENTH
Report of the Planning and
Development Committee for
1993



Site of the Application

2AC-93-27

Appendix "C" as referred to in
Section 7 of the SIXTEENTH
Report of the Planning and
Development Committee for
1993

CENTRAL/BEASLEY PRIDE H.INT. PROGRAM

**PRIORITY PROJECTS IDENTIFIED BY THE CENTRAL/BEASLEY PRIDE H.INT.
CITIZENS' ADVISORY COMMITTEE FOR REMAINING FUNDS**

1.	Renovation of the existing building within Beasley Park to a Community Centre.	\$250,000.
2.	Acquisition and development of land within the Central portion of the Community Improvement Project Area.	\$400,000.
	Contingency	\$ 61,800.
	SUB-TOTAL	<u>\$711,800.</u>

**PROJECTS PREVIOUSLY APPROVED BY CITY COUNCIL
THAT HAVE BEEN OR WILL BE IMPLEMENTED**

1.	Subsidization for the Construction of Beasley Park	\$247,000.
2.	Implementation of Phase I Projects (including street trees, buffering of incompatible uses, play structure at St. Mary's School)	\$271,200.
3.	Outstanding items from Phase I: - Stuart Street improvement (from Bay to MacNab Streets) pedestrian amenities, fencing, ramping, landscaping) - Additional street tree planting	\$ 60,000.
4.	Consultant Fees:	\$150,000.
	GRAND TOTAL	<u>\$1,440,000.</u>

1993 October 26

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his **THIRD** Report for 1993 and respectfully recommends:

1. That Jacqueline R.M. Crerar and T. Harry Kandilas be appointed as citizen members to serve on the Mayor's Race Relations Committee for a term to expire 1994 November 30, to fill vacancies created by resigning members.

RESPECTFULLY SUBMITTED

Robert M. Morrow
Mayor

Stella Glover, Secretary
Mayor's Race Relations Committee

1993 September 27

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTIETH** Report for 1993 and respectfully recommends:

1. That Part 6 of Schedule 4 of By-law 93-069 respecting the Taxicab Priority List be amended as follows:
 - (a) That the Taxicab Priority List be closed and no further applications for the addition of names to the list be accepted after 1993 October 26.
 - (b) That any person currently on the Taxicab Priority List who fails to renew by the September 30th deadline be permitted to pay a late renewal filing fee of \$100. up to December 31st of the same year.
 - (c) That the City Solicitor be authorized and directed to prepare the appropriate by-law.

Recorded vote on Section 1 (b)

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps, -1.

CARRIED.

2. For the information of the members of City Council, the Finance and Administration Committee has appointed Michel Duvalsaint to the French Sub-Committee to replace Stephane Drolet who resigned, for a term to expire 1994 November 30.

3. For the information of the members of City Council, the Finance and Administration Committee has appointed Ronald VanKleef to replace Bob Esselment as the Taxi Brokerage Representative for Veterans Taxi on the Taxi Advisory Committee for a term to expire 1994 November 30.
4.
 - (a) That approval be given to the request of Allenby School Continuing Education Programme to use the second floor lobby from 1993 October 1 - 15 for a Student Art Exhibit; and,
 - (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
5.
 - (a) That approval be given to the request of the St. Joseph's Hospital Race Committee to use the City Hall forecourt on Sunday, 1993 October 24 from 11:00 a.m. - 12:30 p.m. for a finishing point to the St. Joseph's Hospital Run; and
 - (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
6.
 - (a) That approval be given to the request of The Salvation Army to use the City Hall forecourt on Friday, 1993 December 10 from 7:00 - 9:00 p.m. for an outdoor Community Carol Sing; and,
 - (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
7.
 - (a) That approval be given to the action taken by the City Clerk in authorizing the Public Works Department to set up a display under the staircase on the first floor from 1993 October 4 - 12 on the occasion of Waste Reduction Week; and,
 - (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

8. (a) That a purchase order be issued to Wesco Inc., Hamilton, in the amount of \$67,482.87, including all taxes, for the supply and delivery of Light Fixtures for Commonwealth Square, being the lowest of five quotations received in accordance with specifications issued by the Manager of Purchasing and Vendor's Quotation, and be financed through Sculpture Court, Commonwealth Square Account No. CF5200 319349008; and,

(b) That, because delivery lead-time is 8-10 weeks, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".
9. That the listing of Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1993 October 13, attached herewith and marked Appendix "A", be approved.
10. That as referred to in Section 18 of the Thirteenth Report for 1993 of the Transport and Environment Committee, the City's share of "Allison Estates - Phase 1" Servicing, at a cost of \$142,744.15, as previously approved under Item 12 of the Thirteenth Report of the Finance and Administration Committee adopted by Council 1993, June 29 be deleted and the new revised cost of \$186,454.94 be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".
11. (a) That as referred to in Section 5 of the Seventeenth Report for 1993 of the Parks and Recreation Committee, the City's contribution in the amount of \$6,000. to participate in the 1994 Childrens' International Winter Games to be held in Ravne Na Koroskem, Slovenia, 1994 February 11-13, be financed from the Reserve for Hosting of Conferences with Municipal Subject Content Account No. CH 00126; and,

(b) That the surplus funds (approximately \$8,000.) from the 1993 participation in the Childrens' International Games within Recreation Centre Account No. CH 70002 be transferred to the Reserve for Hosting of Conferences with Municipal Subject Content Account No. CH 00126.

12. That as referred to in Section 6 of the Seventeenth Report for 1993 of the Parks and Recreation Committee, the City's contribution in the amount of \$114,000. to Host the 1994 Childrens' International Summer Games be financed as follows:
 - (a) \$50,000. to be provided within the Recreation 1994 Budget Account No. CH 5xxxx 70002, the same provision as in the 1993 Recreation Budget; and,
 - (b) \$64,000. from the Reserve for Hosting of Conferences with Municipal Subject Content Account No. CH 00126.
13. That as referred to in Section 20 of the Thirteenth Report for 1993 of the Transport and Environment Committee, the outstanding balance of the final settlement of expropriation, part of 1477 Upper James Street - Albert Boxinbaum, in the amount of \$408,850. be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands up to an amount of \$238,000. and the balance of \$170,850. be financed from Centre No. CH 00203 Reserve for Capital Projects.
14.
 - (a) That Regional Council be requested to ask its Transportation Services Committee to consider allowing meter parking, with a 15 minute time limit, on the south side of York Boulevard between the front of the Hamilton Public Library and MacNab Street, on a six month trial basis; and,
 - (b) That one of the meter parking spots be designated for wheelchair loading; and,
 - (c) That the cost of parking at the above-mentioned meters be at the rate of 50 cents per 15 minutes; and,
 - (d) That the City of Hamilton Traffic Department be requested to investigate the feasibility of a combination of metered parking and a loading zone at the above-mentioned location and prepare a report in this regard.
15.
 - (a) That an Offer to Purchase, executed by Mintz Catering Limited., In Trust to a Company to be Incorporated and Without Personal Liability (Max Mintz, President), on 1993 October 13, and scheduled to close on or before 1993 December 14, for the purchase of part of Lot 71, Plan 36, having a frontage along the northerly limit of Rebecca Street of 44.08 feet (13.43 metres) by a depth of 110 feet (33.53 metres) more or less, together with building erected thereon, bearing municipal number 195 Rebecca Street, as shown on Plan NS-2150 Surveys, be approved and completed and the funds derived from this sale of \$147,000. be credited to Account No. CH 4X501 00102 (Sale of Land - Reserve for Property Purchases); and,

- (b) That a certified deposit cheque in the amount of \$14,700. be held by the City Treasurer pending approval of this transaction; and,
 - (c) That the Corporation of the City of Hamilton, upon acceptance of this Offer to Purchase, and subject to the transaction being closed and completed, agrees to pay a commission of \$6,880. (5% of first \$100,000., 4% on the balance) to Glen Easson, Glen Easson Real Estate Ltd.; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
- 16.
- (a) That the Director of Property and Manager of Purchasing be directed to prepare tender documents for the installation of an economic energy efficient lighting system at the Hamilton Farmers' Market; and,
 - (b) That these tenders be reviewed with the Hamilton Farmers' Market Sub-Committee before final presentation to the Finance and Administration Committee.
- 17.
- (a) That 5% of the total grant budget allocation be reserved for grants for "special projects" for groups that have not previously received funding; and,
 - (b) That Sub-section (f) of Section 4 of the General Grants Policy respecting the processing of grant applications be amended to limit the grant amount to a maximum of 20% of the applicant's total operating budget, after the initial year of an approved grant; and,
 - (c) That the General Grants Policy be amended to allow for only those groups who have never received funding to be invited to make a verbal presentation to the Committee of the Whole, and that all other groups be allowed to make written presentations; and,
 - (d) That the previous year's growth of assessment be taken into consideration in setting the amount of the grant allocation; and,
 - (e) That Sub-section 4 of Section 2 of the General Grants Policy respecting Categories be deleted; and,

- (f) That the Christmas Lighting Program and the Fire Department Band be moved from the Committed Grants allocation to the General Grants process; and,
- (g) That the Arts Advisory Sub-Committee and the Sports Council discontinue providing comments on the grant applications, and that the Committee of the Whole rely on its staff to provide comment as required.

Recorded vote on Section 17 (a)

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Charters, Jackson. -2. **CARRIED.**

Recorded vote on Section 17 (b)

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Anderson, D'Amico, Ross. -13.

NAYS: Mayor Morrow, Aldermen Charters, Jackson. -3. **CARRIED.**

Recorded vote on Section 17 (g)

YEAS: Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Mayor Morrow, Aldermen Kiss. -2. **CARRIED.**

18. (a) That the following be appointed as the City's Insurance Brokers of Record for a three year term from 1993 December 1 to 1996 December 1, (subject to annual review by the Treasurer) with an option to renew for each of the subsequent two years:
- (i) Property Insurance - Alexander & Alexander Reed Stenhouse
 - (ii) Casualty Insurance - Johnson & Higgins Ltd.;
- (b) That the Treasurer be authorized to purchase insurance coverage for the term 1993 December 1 to 1994 December 1 at, a estimated cost of \$518,405., plus applicable sales taxes; and,
- (c) That the Treasurer be authorized to issue specifications, obtain premium quotes and purchase other classes of insurance not included in the accepted proposals of the appointed brokers, i. e: crime, directors and officers liability, association liability, etc.; and,
- (d) That the following significant factors be implemented within the recommended insurance program:
- (i) Increase Primary and Umbrella (Excess) Liability Coverage from \$14 million to \$25 million;
 - (ii) Reduce the deductible on the Primary Liability Insurance from \$3 million to \$500,000.;
 - (iii) Retain the \$100,000. deductible on Property Insurance;
 - (iv) Retain the \$100,000. deductible on Automobile Insurance for the Liability section and increase the deductible on the All Perils section to \$250,000.;
- (e) That the Treasurer be authorized to negotiate and finalize an amount of payment to Armour Riley Inc. for extra work required of the consultant beyond the original terms of reference.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Agostino. -1.

CARRIED.

19. That the Letter of Understanding dated 1993 October 25 between the Hamilton Professional Fire Fighters Association and the City of Hamilton, as herewith attached and marked Appendix "B", be approved. **REPLACED AND CARRIED.**

20. (a) That the City of Hamilton request that the new Minister of Revenue take all necessary steps to prohibit the entry into Canada of Trading Cards describing the murders of Leslie Mahaffey and Kristen French; and,
- (b) That the City Solicitor and the City Clerk be directed to examine the following options of controlling or banning the sale of these cards in the City of Hamilton and report back to the Finance and Administration Committee's 1993 November 4th meeting:
- (i) Do these cards fit under the hate, crime category and be banned on this basis?
- (ii) To examine the exclusion of the sale of these cards under the current licensing of Variety and Convenience Stores;
- (iii) To examine the possibility of a special license similar to tobacco products to sell these trading cards and that the annual license fee be set at \$2,000.

- (c) That the City Solicitor be directed to pursue Private legislation, if necessary to prohibit the sale of these Trading Cards in the City of Hamilton. **ADDED AND CARRIED.**

21. That the City of Hamilton offer to settle Ontario Court (General Division) Action No. 38464/92 on the following terms:
- (a) That the City pay to the Plaintiffs Marjorie Mills and Edgar Mills, the sum of \$2,500., inclusive of all damages, interests and costs; and,
- (b) That the Plaintiffs be required to execute a Full and Final Release of the City of Hamilton is a form satisfactory to the City Solicitor; and,
- (c) That the Plaintiffs provide an order dismissing the action without costs.

22. That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the hours of the sale of liquor being extended by one hour earlier to start at 10:00 o'clock a.m. for the Scotsman Pub at 96 George Street for the purpose of serving its clientele during the viewing of live coverage of soccer sporting events via satellite on the following dates:

Sunday, 1993 October 24th/Saturday, 1993 October 30th/Saturday, 1993 November 20th/ Saturday, 1993 December 11th/ Saturday, 1993 December 27th/ Saturday, 1994 January 1st/ Saturday, 1994 January 15th/ Saturday, 1994 January 22nd/ Saturday, 1994 February 5th/Saturday, 1994 February 12th/ Saturday, 1994 March 5th/Saturday, 1994 March 26th/Saturday, 1994 April 2nd/Saturday, 1994 April 9th/Saturday, 1994 April 23rd/Saturday, 1994 April 30th/Saturday, 1994 May 14th.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Wilson. -1.

CARRIED.

23. (a) That the grant request from the Around the Bay Road Race organizers for \$25,000. to promote the 100th anniversary of the Race occurring in 1994, be approved; and,
- (b) That the City Treasurer be directed to report back to the Finance and Administration Committee on the method of financing this 1994 expenditure from accounts separate from the City's grant budget.

24. That leave be granted to introduce the following Bills:

(a) Bill H-57 A By-law to Amend Schedule 4 of Licensing By-law No. 79-323 respecting Taxi-Cab Priority List and Procedures.

(b) Bill H-58 A By-law to Authorize West Mountain Bocce Program.
REFERRED BACK.

1993 October 26

- (c) Bill H-59 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

Susan K. Reeder
Secretary
1993 October 21

Appendix 'A' referred
to in Section 9 of the
TWENTIETH Report of the
Finance and Administration
Committee for 1993.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Don Jodway	I	Labourer/Truck Driver (D-11)	Public Works	Replacing Mr. D. Murphy - promoted, June 28/93 New Position Council Approved Jan. 28/92	\$34, 956.48	Aug. 16/93
Mr. Dennis Schram	I	Gardener II (D-14)	Public Works	Replacing Mr. D. Moon - transferred, Jan. 06/91	\$36, 052.64	Oct. 4/93
Mr. Thomas Warburton	I	Street Sweeper/Flush Operator (D-14)	Public Works	Replacing Mr. R. Henderson - transferred to cemetery September 20/93 New Position through rightizing Jan. 01/92	\$36, 052.64	Sept. 26/93

Prepared October 13/93



1993 October 26

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Thomas Coady	Carpenter	Culture & Recreation	Retired	22 years, 3 months	Sept. 30/93

Prepared October 13/93

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant
Resigned - personal betterment
- personal reasons

1993 October 26

Appendix "B" referred
to in Section 19 of the
TWENTIETH Report of the
Finance and Administration
Committee for 1993.

OCT 26 '93 16:08

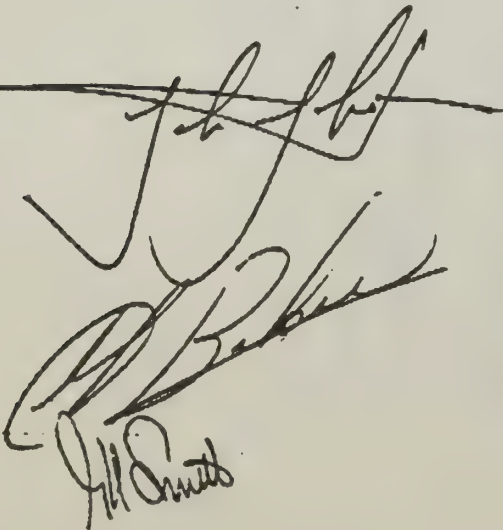
502 P02

LETTER OF UNDERSTANDING OCT. 25,
RE: - LOCAL AGREEMENT 9

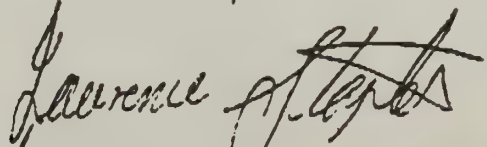
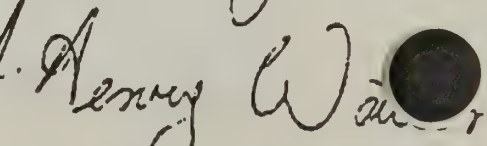
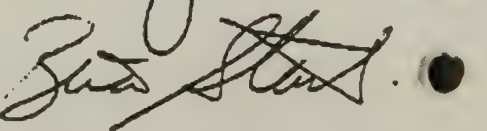
The City, at the request of the Association, shall make an exception to the above and shall offer the Retirement Incentive to those members of the Association who do not attain the required eligible age of 50 until December 1993, provided that it is understood that those members' first pension cheque will be for the month of December 1993.

The Association agrees to accept the cost of the funding for the October 1993 pension payment to those accepting the Retirement Incentive. The funding mechanism for this shall be discussed by the City and the Association; in the event that no agreement is reached, the cost will be brought forward and added to the 1995 Social Contract target for the Association.

FOR CITY


J. H. Smith

FOR ASSOCIATION


R. Brown

Lawrence Stephens

J. Henry Wain

Zina Stant

1993 November 9

Minutes of Hamilton City Council

1993 November 9

7:30 o'clock p.m.

Council Chamber

URBAN M.
NOV
1993
GOVERNMENT DOCUMENTS

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps,
Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson,
Ross.

Mayor R. M. Morrow called the meeting to order.

* * * * *

The Council meeting commenced with the playing of the National Anthem.

* * * * *

Reverend Barry Bain, St. Giles United Church led Council in prayer.

* * * * *

Mayor R. Morrow called upon Therese Quigley, Chairperson for the Organizing Committee
- World University Games Womens Soccer McMaster University to present a
commemorative plaque to the City of Hamilton

* * * * *

Mayor R. Morrow presented Certificates of Appreciation to the following:

- (a) Glenn Mallory for Musical Contribution to Civic Events
- (b) Hammant Car and Engineering Ltd., Bill Crosbie, Sales Manager, Custom Products Division.

* * * * *

Mayor R. Morrow presented a Retirement Certificate to Helen Orgar, School Traffic Officer in recognition and appreciation of 19 years of loyal service to the City.

* * * * *

Mayor R. M. Morrow proclaimed "Unity in Diversity Week - 1993 November 8 to 14.

* * * * *

The minutes of the meeting held 1993 October 26 were adopted as circulated.

CORRESPONDENCE

1. Application dated 1993 November 2 from Mr. Jerry Amatangelo (In trust), Hamilton, Ontario for changes in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District for Block "1" and to "G-1" (Designed Shopping Centre) District for Block "2", for lands located at the north-west corner of Garth Street and Rymal Road West, Hamilton, Ontario.

Received.

2. Letter dated 1993 November 8 from Wally Barubek, President, Hamilton Hurricanes Football Club requesting financial assistance from the City of Hamilton to help offset a deficit.

It was moved by Alderman Merling and seconded by Alderman Agostino that the request from the Hamilton Hurricanes Football Club, Inc., for funding in the amount of \$2,000. be referred to the Finance and Administration Committee. **LOST.**

* * * * *

It was moved by Alderman McCulloch and seconded by Alderman Agostino that notwithstanding the City's Current Grant Policy that a grant of up to \$2,000. be approved for the Hamilton Hurricanes Football Club for the National Junior Championship in Regina, and that this money be funded from the General Grants Account.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger. -8.

NAYS: Aldermen Kiss, Copps, Wilson, Charters, Jackson, Merling, Anderson, Ross. -8.
LOST ON A TIE VOTE.

* * * * *

Following further deliberation, Council agreed to reconsider the grant request from the Hamilton Hurricanes Football Club Inc. and it was subsequently moved by Alderman Jackson and seconded by Alderman Merling that the request from the Hamilton Hurricanes Football Club Inc., for funding in the amount of \$2,000 be referred to the Finance and Administration Committee. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Licensing Committee, the Finance and Administration Committee and the Nominating Committee, be now considered in Committee of the Whole with Alderman Anderson in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -16.

NAYS: -0. **CARRIED.**

* * * * *

TRANSPORT AND ENVIRONMENT COMMITTEE - FOURTEENTH REPORT

Section 36 Re: Ontario Ministry of the Environment and Energy Re: PCB's Storage - Hamilton Psychiatric Hospital

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, Drury, Morelli, Wilson, Eisenberger, Merling, Anderson. -9.

NAYS: Aldermen Kiss, McCulloch, Copps, Agostino, Charters, Jackson, Ross. -7.
CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - FIFTEENTH REPORT

PLANNING AND DEVELOPMENT COMMITTEE - SEVENTEENTH REPORT

Section 3 Re: City Initiative CI-91-H to introduce new regulations for public parking lots.

It was moved by Alderman Agostino and seconded by Alderman Agro that section 3 of the Seventeenth Report of the Planning and Development Committee be amended by adding the following as subsection "D":

D. That staff be directed to draft minimum lighting requirements for safety for privately operated parking lots.
CARRIED.

* * * * *

Section 4 Re: Hamilton Disabled Programme

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Anderson, Ross. -13.

NAYS: Alderman Kiss. -1. **CARRIED.**

* * * * *

Section 6 Re: GO Transit Canada/Hunter Corridor - Noise Study

It was moved by Alderman Drury and seconded by Alderman Eisenberger that Section 6 of the Seventeenth Report of the Planning and Development Committee be referred back.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -15.

NAYS: Alderman Kiss. -1. **CARRIED.**

LICENSING COMMITTEE - FIFTH REPORT

FINANCE AND ADMINISTRATION COMMITTEE - TWENTY FIRST REPORT

Section 3 Re: Hamilton Place Advertising Panels

Recorded vote.

YEAS: Aldermen Cooke, Agro, McCulloch, Morelli, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -11.

NAYS: Mayor Morrow, Aldermen Kiss, Drury, Copps, Wilson. -5.

CARRIED.

NOMINATING COMMITTEE - FOURTH REPORT

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Licensing Committee, the Finance and Administration Committee and the Nominating Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-80, A-81, A-82, A-83, A-84, A-85, A-86, A-87.

C-81.

H-58, H-60, H-61.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Anderson in the chair. (second reading).

A-80, A-81, A-82, A-83, A-84, A-85, A-86, A-87.

C-81.

H-58, H-60, H-61.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, -16.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-80, A-81, A-82, A-83, A-84, A-85, A-86, A-87.

C-81.

H-58, H-60, H-61.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-80, A-81, A-82, A-83, A-84, A-85, A-86, A-87.

C-81.

H-58, H-60, H-61.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, -16.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 9:45 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz, City Clerk
1993 November 9

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **FOURTEENTH** Report for 1993 and respectfully recommends:

1. (a) That a "No Parking" regulation be implemented on the north side of Loconder Drive between Upper Gage Avenue and Queen Victoria Drive; and
 (b) That the City Traffic By-law 89-72 be amended accordingly.
2. (a) That a "No Parking, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the north side of Bendamere Avenue between Geneva Drive and Delmar Drive and on the south side between the east property line of No. 151 Bendamere Avenue and Columbia Drive (west leg); and
 (b) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of Bendamere Avenue between Delmar Drive and Briarwood Crescent and on the south side between Columbia Drive (west leg) and Briarwood Crescent; and
 (c) That the City Traffic By-law 89-72 be amended accordingly.
3. (a) That the existing "No Stopping Anytime" regulation on the south side of Ninth Avenue opposite Fernwood Crescent be revised such that the regulation will commence at a point 48 feet east of Fernwood Crescent and extend to a point 42 feet west of Fernwood Crescent; and
 (b) That a "No Stopping, Wheel Chair Loading Only, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Ninth Avenue commencing at a point 48 feet east of Fernwood Crescent and extending to a point 20 feet easterly therefrom; and

- (c) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Ninth Avenue adjacent to Fernwood Park School be revised, such that the regulation commences at a point 68 feet east of Fernwood Crescent and extends to a point 129 feet easterly therefrom; and
 - (d) That the City Traffic By-law 89-72 be amended accordingly.
4. (a) That the existing "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on both sides of Rowanwood Street between Beach Road and the southerly end be replaced with a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
5. (a) That a "No Stopping" regulation be implemented on the north side of South Bend Road West, commencing at Collier Crescent (west leg) and extending to a point 97 feet easterly therefrom; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
6. (a) That a "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of Afton Avenue between Norway Avenue and Lorne Avenue; and
- (b) That the City Traffic By-law be amended accordingly.
7. (a) That the existing "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the west side of Caroline Street South between Bold Street and Duke Street be replaced with a "Permit Parking" regulation; and
- (b) That the Director of Traffic Services be authorized to issue, upon request, one parking permit to each of the first fifteen eligible applicants residing in one, two or three family dwellings abutting Caroline Street South between Bold Street and Duke Street to a maximum of fifteen permits; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.

8. (a) That a "No Parking" regulation be implemented on the south side of Royal Avenue commencing at Emerson Avenue and extending to a point 67 feet easterly therefrom; and
 (b) That the City Traffic By-law 89-72 be amended accordingly.
9. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of Twin Crescent and Twin Court between Acadia Drive (north leg) and Acadia Drive (west leg); and
 (b) That the City Traffic By-law 89-72 be amended accordingly.
10. (a) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the east side of East 37th Street commencing at a point 232 feet north of the north curb line of Seventh Avenue and extending to a point 80 feet northerly therefrom; and
 (b) That the City Traffic By-law 89-72 be amended accordingly.
11. (a) That a "No Stopping" regulation be implemented on the north side of Fife Street commencing at Chestnut Avenue and extending to a point 41 feet easterly therefrom; and
 (b) That the City Traffic By-law 89-72 be amended accordingly.
12. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the north side of South Bend Road West between Laurier Avenue and West 5th Street; and
 (b) That the City Traffic By-law 89-72 be amended accordingly.
13. That the application of Ann Marie Erkelens and Anthony Falcone to lease a portion of the west boulevard of Proctor Boulevard adjacent to No. 84 Proctor Boulevard be approved, provided that:

- (a) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is \$59.57 per space per year for the first two spaces and \$29.79 for any additional spaces up to ten) plus taxes, if any, in addition to the \$10. encroachment insurance charge approved by the City Council on 1984 February 14.
 - (b) the owner pays a one time \$50. registration fee, as approved by the City Council on 1986 January 14.
 - (c) the owner pays a one time \$191.24 (including G.S.T.) processing fee, as approved by the City Council on 1988 January 12.
 - (d) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes.
 - (e) the driveway approach, parking area and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
 - (f) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
14. (a) That the existing Residential Boulevard Parking Agreement registered as Instrument No. 173878 C.D. to the property at No. 129 Fairleigh Avenue South be discharged, at the property owner's expense; and
- (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement; and
- (c) That the owner of the property be permitted to execute a revised Residential Boulevard Parking Agreement.
15. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the east side of Leland Street between Ward Avenue and Whitney Avenue; and

- (b) That the existing "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the east side of Leland Street between Ward Avenue and Royal Avenue, be removed; and
 - (c) That the City Traffic By-law 89-72 be amended accordingly.
- 16.
 - (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of Acadia Drive between Butler Drive (west leg) and Balharbour Drive; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
- 17.
 - (a) That the existing school bus loading zone on the south side of Lawnhurst Drive commencing at a point 156 feet west of the west curb line of the east leg of Lawnhurst Drive and extending to a point 120 feet westerly therefrom be replaced with a "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation in accordance with the general Traffic Bylaw provision; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
- 18.
 - (a) That the three existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulations on the south side of Bendamere Avenue adjacent to École Monseigneur-de-Laval be revised such that the regulation commences at a point 76 feet west of the west curb line of Columbia Drive and extends to a point 365 feet westerly therefrom; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
- 19.
 - (a) That a "No Stopping" regulation be implemented on the west side of Queen Victoria Drive, commencing at a point 186 feet north of the north curb line of Quaker Crescent (north leg) and extending to a point 94 feet northerly therefrom; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
- 20.
 - (a) That a "No Parking" regulation be implemented on the north side of South Bend Road West between Upper James Street and West 5th Street; and

- (b) That the City Traffic By-law 89-72 be amended accordingly.
21. (a) That a "Two Hour Parking Time Limit, 9:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of Laurier Avenue from the easterly intersection with South Bend Road West to Stacey Street; and
- (b) That a "Two Hour Parking Time Limit, 9:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the east side of Laurier Avenue between Stacey Street and the westerly intersection with South Bend Road West; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.
22. (a) That a "Permit Parking" regulation be implemented on the west side of Ferguson Avenue North commencing at a point 121 feet south of Wood Street East and extending to a point 24 feet southerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Leaist, No. 499 Ferguson Avenue North; and
- (c) That the City Traffic Department 89-72 be amended accordingly.
23. (a) That eastbound traffic on Elite Drive be required to stop for northbound and southbound traffic on Acadia Drive; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
24. (a) That westbound traffic on Racalmuto Street be required to stop for northbound and southbound traffic on Lockheed Drive; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
25. That the School Crossing Guard service be discontinued during the lunch hour period at the signalized intersection of Glendale Avenue and King Street East.

26. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owners for the estimated costs of services in:

" RYMAL SQUARE ESTATES - PHASE 5 ", Hamilton

City's Share \$ Nil Subdivider's Share \$ 209,552.01

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of "Rymal Square Estates - Phase 5", Hamilton and any other related documents for this Subdivision subject to the approval of the City Solicitor.
- (c) That approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered.
- (d) In the event that the owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.
27. (a) That the following City lands be incorporated into the street in order to complete the final street width:
- Limeridge Road Part 2 Plan 62R-12649**
- (b) That the by-law to carry out the incorporation of the said lands into the foregoing street be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
28. (a) That the City lands shown as Parts 1, 13 - 32 inclusive on Plan 62R-11488 be incorporated into Upper Kenilworth Avenue.
- (b) That the by-law to carry out the incorporation of the said lands into the foregoing street be enacted by City Council.

- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.

- 29. (a) That an Offer to Purchase (Highway Closure), duly executed by J. B. Marlatt Funeral Homes (1985) Limited (W. R. Hockney, President), on 1993 September 29, and scheduled to close within thirty (30) days of completion of the conditions as set out in the Agreement, but in any event, no later than 1994 November 16, for the sale of part of an alley lying immediately north of Lots 6 to 9 and immediately south of Lots 16 to 20, Registered Plan 325, designated as Part 1 on Reference Plan 62R-12212, more particularly described as having a width of 3.648 metres (11.968 feet) more or less, by a length of 54.584 metres (179.08 feet) more or less, and comprising a total area of 199.12 square metres (2,143.23 square feet) more or less, directly behind municipal address 615 Main Street East, be approved and completed and the funds derived from this sale of \$19,287 be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
- (b) That the City's deed to the Purchaser be subject to an easement in favour of Bell Telephone Company and Hamilton Hydro over Part 1, Plan 62R-12212.

Regarding such Easement(s), the Purchaser acknowledges and agrees:

- i. That the Purchaser is required, at his expense, to enter into an Easement Agreement with and satisfactory to each Utility in order that such easement shall be registered before the closing of this sale to the Purchaser or registered as required by the Utility.
- ii. That within the said highway being closed and sold to the Purchaser are installed or, are intended to be installed, the property of the Utility which neither the City nor the Utility shall be obliged to remove from the said closed highway to accommodate the Purchaser's development or use of the closed highway unless otherwise set out herein; and

- iii. That the Easement Agreement with a Utility may prohibit the Purchaser's construction of buildings or structures on or beneath the land included in this sale and will provide access to the Utility upon the said land for the purpose of operating, maintaining, replacing, or installing such services or other equipment the Utility requires.
- (c) That the required deposit cheque in the amount of \$1,928.70 be held by the City Treasurer pending City Council approval.
- (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
- 30. That City Council enact the by-law to authorize construction of local improvements of a concrete alley first north of Barton Street East from Tragina Avenue North to Weir Street North (east-west portion only).
- 31. That City Council enact the by-law to authorize construction of local improvements of a concrete curb on the north side of Rennie Street from Waterloo Street to approximately 33.8 m easterly (east limit of 777 Rennie Street) and a concrete curb and sidewalk on the south side of Rennie Street from approximately 12.2 m east of Waterloo Street to approximately 12.2 m easterly (frontage of 776 Rennie Street).
- 32. That a purchase order be issued to Harm Schilthuis and Sons Limited, lowest of four bidders, in the amount of \$84,316. including G.S.T. to construct a reinforced concrete liner for Red Hill Creek, east of Quigley Road and north of Greenhill Avenue.
- 33. (a) That the West Central Branch of the Ministry of the Environment and Energy (MOEE) be advised that the City of Hamilton has no objection to ENSR Operation Ltd. carrying out the proposed PCB destruction for McMaster University at 1280 Main Street West, Hamilton, Ontario;
- (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the MOEE be waived so that the proposed work can be carried out as scheduled;
- (c) That no specific Municipal permits are required for the proposed work.

34. (a) That the West Central Branch of the Ontario Ministry of the Environment and Energy (MOEE) be advised that the City of Hamilton has no objection to Third Sector Employment Enterprises receiving a Certificate of Approval to operate a Waste Disposal Site (Processing) located at 1579 Burlington Street East, Hamilton, Ontario; provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry, and that all applicable municipal by-laws are complied with fully.
- (b) That a copy of this report and its attachments be submitted to the West Central Branch of the MOEE for their consideration in the preparation of the Certificate of Approval regulating the operations of Third Sector Employment Enterprises.
35. That the procedure for processing road closures be revised to include only one report to the Transport and Environment Committee, which committee meeting is held after the required four weeks of public advertising, in those cases where no objections are received and the Ward Aldermen are in favour of the request.
36. (a) That the West Central Branch of the Ontario Ministry of the Environment and Energy (MOEE) be advised that the City of Hamilton has no objection to the transfer and storage of PCB waste by the Management Board Secretariat to their Hamilton Psychiatric Hospital PCB storage site; provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry and that all applicable City of Hamilton and Regional by-laws are complied with fully.
- (b) That a copy of this report and its attachments be submitted to the West Central Region Branch of the Ministry of the Environment and Energy for their information.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, Drury, Morelli, Wilson, Eisenberger, Merling, Anderson. -9.

NAYS: Aldermen Kiss, McCulloch, Copps, Agostino, Charters, Jackson, Ross. -7.
CARRIED.

37. (a) That a "Two Hour Parking Time Limit, 9:00 a.m. to 4:00 p.m., Monday to Saturday" regulation be implemented on the north side of King Street West commencing 137 feet west of Sterling Street and extending to Cline Avenue South and on the south side commencing 119 feet west of Newton Street and extending to Cline Avenue South; and
- (b) That the existing "No Parking" regulation on the south side of King Street West which commences 75 feet west of Newton Avenue and extends 27 feet westerly therefrom, be replaced with one two-hour metered parking space; and
- (c) That three two-hour parking meters be installed on the east side of Paisley Avenue North commencing at King Street West (north branch) and extending to a point 109 feet northerly therefrom; and
- (d) That four two-hour parking meters be installed on the east side of North Oval commencing at King Street West and extending to a point 103 feet northerly therefrom; and
- (e) That two two-hour parking meters be installed on the east side of Sterling Street commencing at a point 75 feet north of King Street West and extending to a point 42 feet northerly therefrom; and
- (f) That a sign be erected in the vicinity of the King Street/Highway #403 bridge in a location agreeable to the Ward Aldermen and the Director of Traffic Services, indicating directions to "Westdale Village".
- (g) That the City Traffic By-law 89-72 be amended accordingly.
38. (a) That a three-way stop control be implemented at the intersection of Glendale Avenue North and Beechwood Avenue;
- (b) That the City Traffic By-law 89-72 be amended accordingly.

39. That leave be granted to introduce the following Bills:

- (a) **Bill A-80** By-law to stop-up, close and authorize the sale of part of Belview Avenue designated as Parts 2 and 3, Plan 62R-12325
- (b) **Bill A-81** By-law to incorporate Part 2, Plan 62R-12649 into Limeridge Road
- (c) **Bill A-82** By-law to incorporate Parts 1, 13 - 32, Plan 62R-11488 into Upper Kenilworth Avenue
- (d) **Bill A-83** By-law to amend Traffic By-law 89-72 to Regulate Traffic
- (e) **Bill A-84** By-law to amend Traffic By-law 89-72 to Regulate Traffic
- (f) **Bill A-85** By-law to authorize the construction of local improvements of a concrete alley first north of Barton Street East from Tragina Avenue North to Weir Street North (east west portion only)
- (g) **Bill A-86** By-law to authorize the construction of local improvements of a concrete curb on the north side of Rennie Street from Waterloo Street to approximately 33.8 m easterly (east limit of 777 Rennie Street) and concrete curb and sidewalk on the south side of Rennie Street from approximately 12.2 m east of Waterloo Street to approximately 12. 2 m easterly (frontage of 776 Rennie Street).

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1993 November 1

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **FIFTEENTH** Report for 1993 and respectfully recommends:

1. (a) That a four-way stop control be implemented at the intersection of Francis Street and Douglas Street.
- (b) That the Traffic By-law 89-72 be amended accordingly.
2. That leave be granted to introduce the following Bill:

Bill A-87 By-law to amend Traffic By-law 89-72 to Regulate Traffic

Respectfully Submitted,

Tina Agnello
Acting Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1993 November 9

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SEVENTEENTH** Report for 1993 and respectfully recommends:

1. That approval be given to amended Zoning Application 93-21, Frank and Antonietta Mastroianni and Diodoro and Olimpia Cavoto, Owners, requesting a change in zoning from "AA" (Agricultural) District, modified to "R-4" (Small Lot Single-Family Dwelling) District, modified to permit future development for five (5) small lot single-family detached dwellings, for property located at the rear of No. 1462 Upper Sherman Avenue, as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That the subject lands be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Dwelling) District;
 - (b) That the "R-4" (Small Lot Single-Family Dwelling) District regulations as contained in Section 9A of Zoning By-Law No. 6593, applicable to the subject lands be modified to include the following variance as a special requirement:
 - (c) Notwithstanding Section 9A.2.(c)1. of Zoning By-Law No. 6593, every lot for a single-family dwelling shall have an average lot width of not less than 9.50 metres and an average lot area of not less than 306.0 square metres.
 - (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1320, and that the subject lands on Zoning District Maps E-27C and E-27D be Notated S-1320;
 - (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-27C and E-27D for presentation to City Council;
 - (f) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. A. That approval be given to amended Zoning Application 93-25, Bethel Gospel Tabernacle, owners, for a change in zoning from "AA" (Agricultural) District to "DE-2" (Multiple Dwellings) District modified, to permit a 4 - storey, 38 unit multiple dwelling fronting onto Upper Wellington Street; a 6 - storey, 57 unit multiple dwelling; and 26 townhouse units on the lands known as 1321, 1329, 1335, 1339, and 1343 Upper Wellington Street, as shown on the attached map marked as Appendix "B", on the following basis :
- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "DE-2" (Multiple Dwellings) District;
 - (b) That the "DE-2" (Multiple Dwellings) District regulations, as contained in Section 10B of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - i. That notwithstanding Section 10B (1) of Zoning By-law No. 6593, only a maximum of 26 townhouse units subject to the "RT-20" District provisions of Section 10E shall be permitted on the rear portion of the subject lands;
 - ii. That notwithstanding Section 10B (2) (ii) of Zoning By-law No. 6593, the multiple dwelling fronting Upper Wellington Street shall not exceed four (4) storeys or 13.5 m in height, and the second multiple dwelling shall not exceed six (6) storeys or 20.0 m in height;
 - iii. That a maximum of ninety-five (95) multiple dwelling units shall be permitted;
 - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1319, and that the subject lands on Zoning District Map E-18B be notated S-1319;
 - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18B for presentation to City Council;

- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning;
 - (f) That the approved Crerar Neighbourhood Plan be amended by redesignating the subject lands from "Single and Double Residential" to "Medium Density Apartments", "Attached Housing" and "Proposed Walkway", and by amending the approved road pattern.
- B. That as a condition of Site Plan Approval, the applicant/owner shall dedicate an easement to the City, by agreement, to provide for a walkway extending from the easterly property line to Upper Wellington Street including a portion to be provided on the applicant's lands immediately to the south and that the easement and site plan be registered on title.
3. A. That approval be given to City Initiative CI-91-H to provide for a general text amendment to Zoning By-law No. 6593, by introducing new regulations for public parking lots respecting front yard setback and landscaping requirements on the following basis:
- (a) That the "G-3" (Public Parking Lots) District regulations, as contained in Section 13C of Zoning By-law No. 6593, be amended as follows:
 - i. That Section 13C.(1)(iii) be amended by adding the words "notwithstanding clauses 2. (2) J. (xb) and 2. (2) J. (xxvi)," at the beginning of said clause;
 - ii. That Section 13C.(3) be deleted in its entirety and replaced with a new Section, as follows:

AREA REQUIREMENTS

- (3) The following yards shall be provided within the district and maintained as appurtenant to every building in a G-3 district:-

- (i) Where a front yard is required for any lot on the same side of the street between two intersecting streets, a front yard of a depth at least as great as that required for any such lot, but in no case of a depth of less than 3.0 metres (9.84').
- iii. That Sections 13C.(4) and (5) be deleted in their entirety and replaced with a new Section 13C.(4), as follows:

**LANDSCAPING, PAVING, AND LIGHTING
REQUIREMENTS**

- (4) (i) A landscaped area having a minimum average width of 2.0 metres (6.56'), but not less than 1.0 metre (3.28') in width, shall be provided and maintained along the entire street line of the lot, except for the area used for access driveways;
- (b) Notwithstanding Section 2.(2)J.(xb)(c) of this By-law, not less than 50% of the required landscaped area referred to in clause (4)(i) above shall be natural earth comprised of the natural planting of grass lawns, trees, shrubs and flowers;
- (c) An area landscaped with a planting strip of not less than 1.5 metres (4.92') in width shall be provided and maintained along and within every side lot line and rear lot line that abuts a residential district or use;
- (d) A visual barrier not less than 1.2 metres (3.94') and not more than 2.0 metres (6.56') in height shall be provided and maintained along every side lot line and rear lot line of a public parking lot which adjoins a residential district or use, except that no visual barrier shall be situated less than 3.0 metres (9.84') in distance from a front lot line;

- i. All open areas, except areas required to be landscaped, shall be paved with asphalt or concrete, and so graded or drained as to ensure that surface water will not escape to neighbouring lands;
 - ii. Every lighting facility shall be so designed, installed and maintained as to ensure that the light is deflected away from all lands designated for residential uses, and any lighting of signs shall similarly be so deflected.
- (e) That Section 18A Parking and Loading Requirements of Zoning By-law No. 6593, be amended by adding a new Section 18A.(40), as follows:
 - 18A.(40) Every public parking lot shall be subject to the provisions of Section 13C.
- (f) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 for presentation to City Council;
- (g) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- B. That the Licensing Division of the City Clerks Department be directed to hold in abeyance the issuance of a "Garage D" licence for new parking lot development, until there has been confirmation that the applicant has applied for and received Site Plan Approval, where required.
- C. That Site Plans for all new parking lots are to be registered on title with the land.
- D. That staff be directed to draft minimum lighting requirements for safety for privately operated parking lots. **ADDED AND CARRIED.**

4. That the Hamilton Disabled Programme be discontinued and the remaining funds in the City account in the amount of \$98,766 and outstanding loan repayables in the amount of \$38,892 be referred to the Management Team to be re-allocated and considered in the Capital budget deliberations.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Anderson, Ross. -13.

NAYS: Alderman Kiss. -1. **CARRIED.**

5. (a) That the Building Commissioner be authorized and directed to:
- i. Formulate programmes to stimulate the revitalization of Barton Street from James to Kenilworth Streets with Phase 1 identified as the B.I.A. from Wentworth to Wellington Streets.
 - ii. Establish a Design and Implementation Committee chaired by the Building Commissioner and made up of Representatives from the Building, Public Works, Planning and Development, and Economic Development Departments, Municipal Non-Profit, and the Business Improvement Area.
- (b) That the Planning and Development Department be directed and authorized to provide a land use review of Barton Street with the intent of modifying certain areas to facilitate commercial/residential development.
- (c) That the cost of implementing the programmes be financed from the Ontario Home Renewal Programme Reserve Account.
- (d) That the Building Commissioner be authorized and directed to make application to the Province of Ontario for authorization to utilize the Ontario Home Renewal Programme Funds when the programmes are developed.

6. That the Noise Control Officer be directed to conduct a noise study on the GO Transit Canada/Hunter Corridor in the amount of \$4,000.

REFERRED BACK AND CARRIED.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Anderson, Ross. -13.

NAYS: Alderman Kiss. -1.

CARRIED.

7. That the City of Hamilton accept the sum of \$21,840. as a cash payment in lieu of the 5% land dedication in connection with Rymal Square Estates - Phase 5, Hamilton, located between Upper Wentworth Street and Upper Sherman Avenue in the Butler Neighbourhood, being the cash payment required under Section 51 of the Planning Act.
8. That the Regional Municipality of Hamilton-Wentworth be advised that The City of Hamilton does not object to the proposed renaming of Confederation Drive, and a portion of Nash Road North, to Van Wagner's Beach Road.
9. That leave be granted to introduce the following Bill:

Bill C-81 By-law to amend By-law No. 87-308 as amended by By-law No. 92-079 respecting Members of the Board of Management of the Barton General Business Improvement Area.

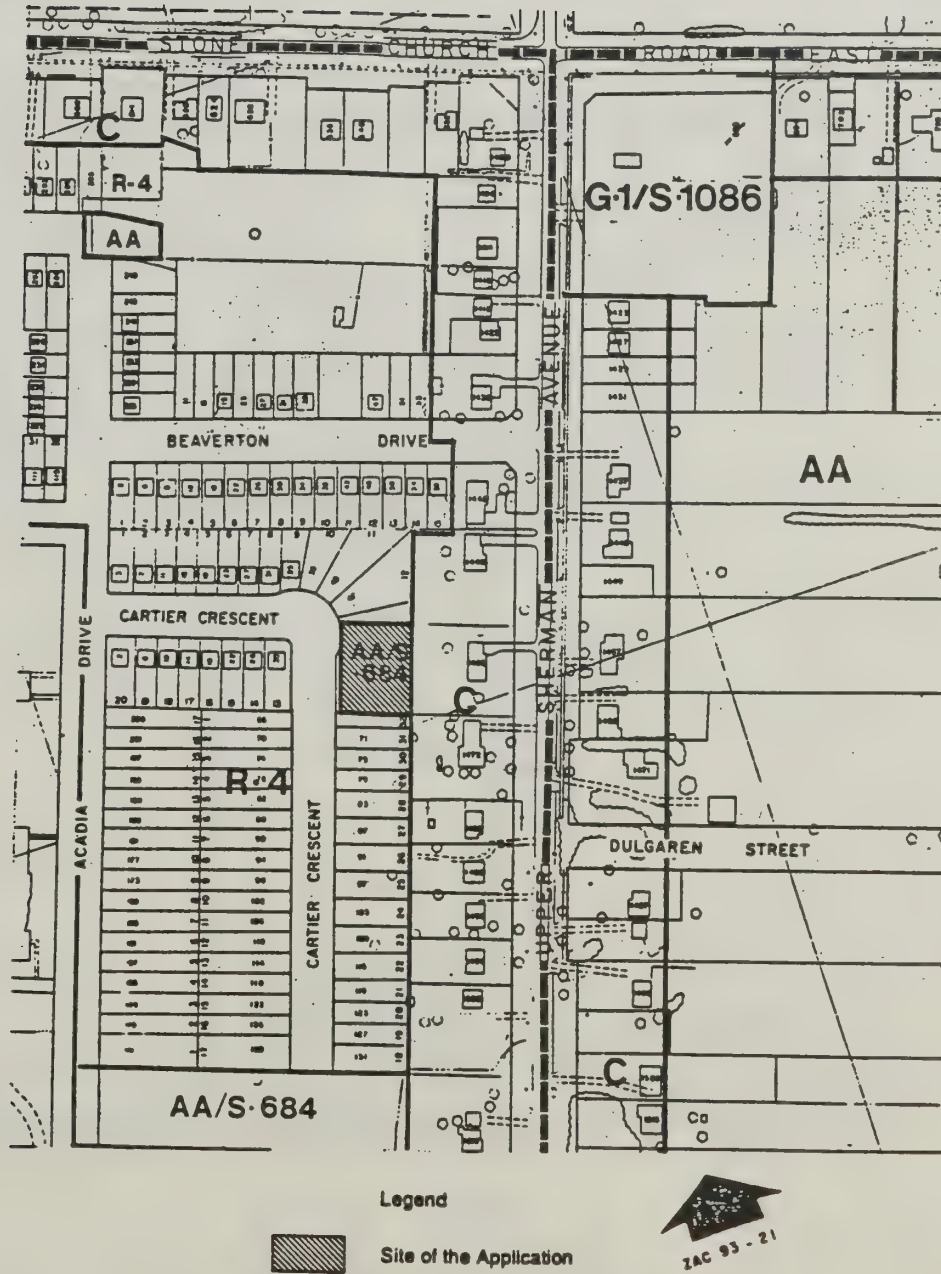
RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

Tina Agnello, Secretary
1993 November 3

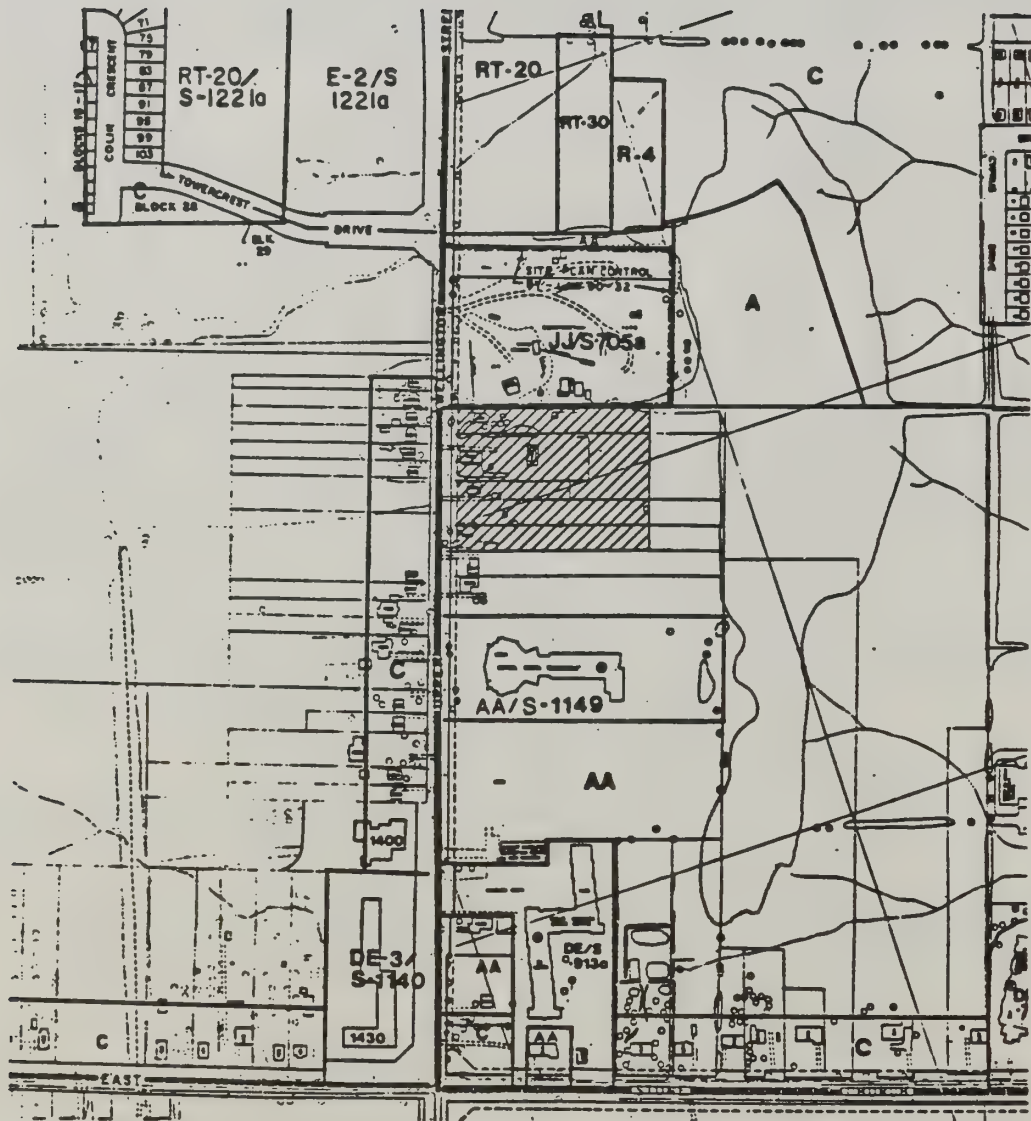
1993 November 9

Appendix "A" as referred to
in Section 1 of the SEVENTEENTH
Report of the Planning and
Development Committee for
1993



1993 November 9

Appendix "B" as referred to
in Section 2 of the SEVENTEENTH
Report of the Planning and
Development Committee for
1993



Legend



Site of the Application

ZAC-93-25

1993 November 9

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **FIFTH** Report for 1993 and respectfully recommends:

1. That the Cab Driver Licence application of Hugo Hassan, 79 Duke Street #7, Hamilton, be denied.

Confidential background information provided to members of City Council under separate cover.

RESPECTFULLY SUBMITTED

**ALDERMAN T. COOKE
CHAIRPERSON
LICENSING COMMITTEE**

Stella Glover
Secretary

1993 October 27

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTY-FIRST** Report for 1993 and respectfully recommends:

1. (a) That the City of Hamilton purchase a table with seating for ten at a cost of \$600. for the Hamilton Gallery of Distinction Dinner being held on Wednesday, 1993 November 17; and,
(b) That this expenditure be financed from the Unclassified Account No. CH55113 24201.
2. (a) That the City of Hamilton host a reception for the Hamilton International Air Show to be held Saturday, 1994 June 18, at a cost not to exceed \$7,000.; and,
(b) That this expenditure be financed from the Special Civic Receptions and Delegation Hostings Account No. CH55314 84010.
3. That the request from HECFI to allow for the addition of advertising panels to the Hamilton Place exterior pylon sign be approved.

Recorded vote.

YEAS: Aldermen Cooke, Agro, McCulloch, Morelli, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -11.

NAYS: Mayor Morrow, Aldermen Kiss, Drury, Copps, Wilson. -5.

CARRIED.

4. That City Council consent to the use of the name "Hamilton" in the proposed incorporation of the "Hamilton Sports Council".
5. That the grant for the Around the Bay Road Race to promote the 100th Anniversary of the race in the amount of \$25,000. as approved by City Council 1993 October 26, be financed from the Reserve for Contingency Centre # CH 00115.

6.
 - (a) That the stallholder fees for the Hamilton Farmers Market for 1994 be increased by 4.5%; and,
 - (b) That the City Solicitor be authorized and directed to prepare an amendment to Farmers Market By-Law 92-310 to provide for the fee increase.

7. That the City Solicitor be authorized and directed to prepare an amendment to Farmers' Market By-law 92-310 providing for a revised Hamilton Farmers' Market Contract for 1994 to include the following:
 - (a) Rental of all market stands on a four day per week basis (Tuesday, Thursday, Friday and Saturday) payable by post-dated cheques at the time the contract is signed; and,
 - (b) The existing stallholder fees covering a three market day week be revised to include for the fourth market day, namely, Friday, the current daily rental rate of the stall multiplied by fifty-two. This revised annual fee shall be payable in twelve equal monthly post-dated cheques delivered to the City on the signing of the Market Contract; and,
 - (c) Rebate of the daily fee, without interest, for the applicable stand as set out in Market By-Law 92-310 on a twice yearly basis to all stallholders who do not utilize their stands on any given Fridays provided they have notified the Market Office by 9 a.m. of the Fridays in question.

8.
 - (a) That in order to shorten the trial of this action and to reduce the overall legal expenses the City agree that the Plaintiff's damages in Ontario Court (General Division) Action No. 26753/91 be assessed as follows:

(i) General damages	\$30,000.00
(ii) Wage Loss	\$ 7,500.00
(iii) Out-of-pocket expenses	\$ 1,500.00
(iv) OHIP subrogated claim	\$ 8,600.31
 - (b) That in order to shorten the trial of Ontario Court (General Division) Action No. 26753/91 and to reduce legal costs of all parties the City Solicitor be authorized to admit such facts as will reduce the need to call evidence without detracting from the City's ability to defend its liability position in this matter.

9. (a) That the City resolve Ontario Court (General Division) Action No. 418/90 by payment to the Plaintiffs Edward Gerrard Cross, Angela Nichole Cross, Heather Cross, and Edward Cross Jr., the sum of \$46,843.33 inclusive of all damages, interest and costs; and,
 - (b) That Ontario Court (General Division) Action No. 418/90 and all cross-claims therein be dismissed without costs; and,
 - (c) That the Plaintiffs be required to execute Full and Final Release in a form satisfactory to the City Solicitor.
10. That leave be granted to introduce the following Bills:
 - (a) Bill H-58 A By-law to Authorize West Mountain Bocce Program.
 - (b) Bill H-60 A By-law to Authorize the Levy of a Special Charge in respect of: Barton Street East #1 Business Improvement Area.
 - (c) Bill H-61 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1993 November 4**

1993 November 9

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **FOURTH** Report for 1993 and respectfully recommends:

1. That the following Members of City Council be appointed to the Committee of Adjustment for a term to expire 1994 November 9:

Alderman H. Merling

Alderman B. Charters

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW
CHAIRMAN, NOMINATING COMMITTEE**

J.J. Schatz, Secretary
1993 November 9

1993 November 30

Minutes of Hamilton City Council
1993 November 30
7:30 o'clock p.m.
Council Chamber

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps,
Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson,
Ross, D'Amico.

Mayor R. M. Morrow called the meeting to order.

* * * * *

The Council meeting commenced with the playing of the National Anthem.

* * * * *

Captain Doug Binner, Salvation Army led Council in prayer.

* * * * *

The following presentations were made:

Regional Business Plan Contest - Sponsored by The Regional Municipality of Hamilton-Wentworth in co-operation with the local Boards of Education. The following winners from the city of Hamilton were presented with a Certificate of Recognition and a cheque:

Miss Maxie Bai, W. H. Ballard Public School, Mr. Aaron Colbourne, Norwood Park Public School, Mr. Mark Cliffe, Norwood Park Public School, Miss Judy Lin, R.A. Riddell Public School, Miss Fiona Tozer, St. Columbia Roman Catholic Separate School, Miss Erika Cerskus, St. Joseph's School.

* * * * *

Mayor Morrow presented a Certificate of Appreciation to the Ukrainian Women's Association of Canada - Irene Sushko, President and Halia Lypka, Corresponding Secretary.

* * * * *

Mayor R. M. Morrow proclaimed White Ribbon Week - November 27 to December 3, 1993.

* * * * *

Mayor R. M. Morrow presented a Certificate of Appreciation to Mr. Jack McFarlane of the United Council of Veterans on the occasion of their 60th Anniversary.

* * * * *

The minutes of the meeting held 1993 November 9 were adopted as circulated.

* * * * *

CORRESPONDENCE

1. Letter dated 1993 November 23 from Harris Raue, 21 Lynwood Drive, Stoney Creek, Ontario regarding non-resident user fees at Hamilton Public Libraries.

Referred to the Hamilton Public Library Board.

2. Application dated 1993 November 12 from Luval Enterprises Limited, Hamilton, Ontario for changes in zoning from "R-4" (Small Lot Single-Family Detached) District to "RT-20" (Townhouse-Maisonette) District for Block "1", from "R-4" (Small Lot Single-Family Detached) District to "C" (Urban Protected Residential, etc.) District for Block "2" and from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for Block "3", for lands located south of Mud Street and west of Upper Mount Albion Road, Hamilton, Ontario.

Received.

3. Application dated 1993 November 23 from Buckingham York Ltd., Hamilton, Ontario for a modification to the established "E-3" (High Density Multiple Dwellings) District regulations, for properties located at Nos. 150 and 152 Catharine Street South, Hamilton, Ontario.

Received.

4. Letter of objection received 1993 November 30 from Dawn Adams respecting a Zoning Application 93-33 for property at 303 York Blvd referred to in Item 1 of the Eighteenth Report of the Planning and Development Committee Report.

Received.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the the Parks and Recreation Committee, the Planning and Development Committee, the Special Committee to Administer the Hamilton-Scourge Project, the Finance and Administration Committee, the Nominating Committee, and the Committee of the Whole be now considered in Committee of the Whole with Alderman Anderson in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

PARKS AND RECREATION COMMITTEE - EIGHTEENTH REPORT

PARKS AND RECREATION COMMITTEE - NINETEENTH REPORT

PLANNING AND DEVELOPMENT COMMITTEE - EIGHTEENTH REPORT

Section 1 Re: Zoning Application 93-33 - N. Janjic and G. Kugler, 303 York Blvd.

It was moved by Alderman Eisenberger and seconded by Alderman Agostino that section 1 of the Eighteenth Report of the Planning and Development Committee be amended by deleting the word "denied" in the last line of the first paragraph and inserting in lieu thereof the words "approved on a one year temporary zoning basis" and further that subsections (a) through (e) and the last paragraph (note) be deleted. **CARRIED.**

Recorded vote on the amendment

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, D'Amico, Ross. -11.

NAYS: Aldermen Kiss, Copps, Wilson, Jackson, Anderson. -5. **CARRIED.**

* * * * *

Section 1 Re: Zoning Application 93-33: N Janjic & G Kugler, 303 York Blvd as amended

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, D'Amico, Ross. -11.

NAYS: Aldermen Kiss, Copps, Wilson, Jackson, Anderson. -5. **CARRIED.**

* * * * *

Section 20 Re: Proposed plan of condominium - 293 Limeridge Rd. W. - draft approval

It was moved by Alderman Drury and seconded by Alderman Eisenberger that the Eighteenth Report of the Planning and Development Committee be amended by adding the following as Section 20:

- "20. (a) That the proposed plan of condominium prepared by J. D. Barnes Limited on behalf of M. and A. Singh, owners, dated 1993 June 9, showing 15 residential units at No. 293 Limeridge Road West, be draft approved;
- (b) That the Mayor and the City Clerk be authorized to grant draft approval by signing the draft plan; and,
- (c) That the Mayor and the City Clerk be authorized to sign the final plan once the owner has fulfilled the requirements under the Rental Housing Protection Act."

CARRIED.

**SPECIAL COMMITTEE TO ADMINISTER THE
HAMILTON-SCOURGE PROJECT - FIRST REPORT**

FINANCE & ADMINISTRATION COMMITTEE - TWENTY SECOND REPORT

Section 13 Re: Grant - Hamilton Hurricanes Football Club Inc.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Morelli, Wilson, Agostino, Jackson, Anderson, D'Amico, Ross. -11.

NAYS: Aldermen Copps, Eisenberger. -2.

CARRIED.

* * * * *

Section 18 Re: The Irving Zucker Sculpture Court - Commonwealth Square

It was moved by Mayor Morrow and seconded by Alderman Ross that Section 18 of the Twenty-Second Report of the Finance and Administration Committee be deleted and replaced with the following:

18. That the portion of Commonwealth Square which will include the Zucker sculpture donation be named "The Irving Zucker Sculpture Court on Commonwealth Square". The whole area currently known as Commonwealth Square will continue to bear this name.
- CARRIED.**

* * * * *

Section 22 Re: Amalgamation of the Law Dept, Legal Services, Clerk's Dept. and Treasury and Finance Dept.

It was moved by Alderman Agostino and seconded by Alderman Charters

- (a) That Sub-Section (a) (i) of Section 22 of the Twenty Second Report for 1993 of the Finance and Administration Committee be amended to add the words "City Chief Administrative Officer and a neutral person agreed by both C.A.O.'s" after the word "the" in the first line; and,
- (b) That Sub-Section (a) (ii) be amended to add the words "City Chief Administrative Officer and a neutral person agreed to by both C.A.O.'s" after the word "the" in the first line; and
- (c) That Sub-Section (a) (ii) be amended to delete the word "he" in the second line and substitute in lieu thereof the word "they".

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico. - 11

NAYS: Aldermen Cooke, Agro, McCulloch, Drury, Wilson, Ross. -6.

CARRIED.

Section 29 Re: Re-appointment of J. Pavelka as CAO and Re-appointment of D. Lobo as Director of Public Works

It was moved by Alderman Ross and seconded by Alderman D'Amico that the following be added as Section 29 of the Twenty-Second Report for 1993 of the Finance and Administration Committee:

29. (a) That Mr. J. Pavelka, Director of Public Works, be re-appointed Chief Administrative Officer for the period 1994 January 1 through 1995 June 30 within the salary range "A" and that the City Solicitor be authorized and directed to amend the necessary by-laws and that Mr. J. Pavelka be re-appointed as Director of Public Works, effective 1995 July 1; and,
- (b) That Mr. D. Lobo, Manager of Streets and Sanitation, be re-appointed as Director of Public Works for the period 1994 January 1 through 1995 June 30 within the salary range "B" and that effective 1995 July 1 be re-appointed as Manager of Streets and Sanitation. **CARRIED.**

NOMINATING COMMITTEE - FIFTH REPORT

COMMITTEE OF THE WHOLE - ELEVENTH REPORT

ACTING MAYOR FOR THE MONTH OF DECEMBER

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman T. Anderson be appointed Acting Mayor for the month of December, 1993. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Special Committee to Administer the Hamilton-Scourge Project, the Finance and Administration Committee, the Nominating Committee, and the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

C-82, C-83, C-84, C-85, C-86, C-87, C-88, C-89.
H-62, H-63, H-64, H-65.
I-05, I-06, I-07.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Anderson in the chair. (second reading).

C-82, C-83, C-84, C-85, C-86, C-87, C-88, C-89.
H-62, H-63, H-64, H-65.
I-05, I-06, I-07.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

C-82, C-83, C-84, C-85, C-86, C-87, C-88, C-89.
H-62, H-63, H-64, H-65.
I-05, I-06, I-07.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

C-82, C-83, C-84, C-85, C-86, C-87, C-88, C-89.
H-62, H-63, H-64, H-65.
I-05, I-06, I-07.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 9:40 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz, City Clerk
1993 November 30

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **EIGHTEENTH** Report for 1993 and respectfully recommends:

1.
 - (a) That the City of Hamilton renew the Lease Agreement which expires on 1993 December 31 with Her Majesty the Queen, represented by the Minister of the Environment (National Water Institute), for the use of City lands lying immediately east of 57 Beach Boulevard.
 - (b) That the new term commence 1994 January 1 and expire 1995 December 31, for an annual rent of \$1. plus any applicable taxes, and rental proceeds be credited to Account No. CH44104 31106 (Civic Properties Rental).
 - (c) That either party has the right to terminate the agreement on thirty (30) days written notice.
 - (d) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement subject to the terms and conditions of the City Solicitor.
2. That the staff complement of the Caretaker, the Hamilton Museum of Steam and Technology, be changed from a part-time position working full-time hours to full-time status and that the part-time Caretaker position, be eliminated.
3. That the following artifact be deaccessioned from the Hamilton Military Museum collection and returned to the owner.

1991.0005-001

One 1804 Pattern Royal Navy Cutlass

4.
 - (a) That pursuant to the 1993 October 26 City Council approval to acquire and develop land for park purposes at an estimated cost of \$400,000. as part of the Central/Beasley PRIDE H.INT. Program, approval be given to proceed with the investigation of acquiring a parcel of land within the Central portion of the project area; and,

- (b) That consideration be given to an annualized maintenance cost of \$4,800. for the park commencing in 1995 within the Current Budget Program of the Parks Development and Maintenance Section of the Public Works Department.
- 5. That the Culture and Recreation and Property Departments be authorized to analyze and examine the implications of creating a Community Centre within Beasley Park and submit a detailed report to the Parks and Recreation Committee for its consideration at its next meeting.
- 6. That the Director of Culture and Recreation be authorized, on behalf of the Corporation of the City of Hamilton, enter into an Agreement, satisfactory to the City Solicitor which would recognize the Hamilton Kilty "B"'s Hockey Club as the Marketing Agent for the rink board advertising at the Mountain Arena with a 40% gross return of the \$1,000. panels to the Corporation. This Agreement is to be for a two-year period.
- 7. (a) That the City of Hamilton agree to renew the lease with the Macassa Bay Yacht Club which expires on 1993 November 30.
 - (b) That the new term will be for three (3) years, commencing 1993 December 1 and expiring on 1996 November 30, at the following rental rates:
 - i. 1993 December 1 to 1994 November 30 at a rental rate of \$9,000. plus taxes estimated at \$4,786.43 for 1994.
 - ii. 1994 December 1 to 1995 November 30 at a rental rate of \$10,000. plus taxes estimated at \$4,930.02 for 1995.
 - iii 1995 December 1 to 1996 November 30 at a rental rate of \$11,000. plus taxes estimated at \$5,077.92 for 1996.
 - (c) That the time period for cancellation by either the Macassa Bay Yacht Club or the City be one (1) year written notice.
 - (d) That revenue be credited to Account No. CH44104 31106 (Rental Civic Property - Civic Properties Rented).
 - (e) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement.

8. (a) That a purchase order be issued to Dufferin Construction Company, Oakville, in the amount of \$59,318.13, including all taxes and a contingency of \$8,500., for asphalt placement and park redevelopment at Glow Park, being the lowest of six quotations received in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and be finance through Park Development and Redevelopment 1993 Account No. CF5010 629354006.
- (b) That, as this work is to be completed as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairperson, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council".
9. That the Terms of Reference, "Conservation Study for Dundurn Castle Landscape" attached hereto as Appendix "A", be approved and that staff carry out the necessary steps to put the document out for tender.
10. For the information of City Council, the following persons have been appointed to serve on the Hamilton Historical Board:

TERM OF OFFICE TO EXPIRE

(a) David Cuming	1994 November 30th
(b) Joyce Newman	1995 November 30th
(c) Carolyn McCann	1995 November 30th
(d) David Beland	1996 November 30th
(e) Walter Peace	1996 November 30th
(f) Victoria G. Brown	1996 November 30th

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1993 November 23

TERMS OF REFERENCE
CONSERVATION STUDY FOR DUNDURN CASTLE LANDSCAPE

1.0 General Introduction

1.1 Introduction

- 1.1.1 The Cultural Services Division of the Department of Culture and Recreation of the City of Hamilton invites qualified consultants to undertake a landscape conservation study for the grounds of Dundurn Castle.
- 1.1.2 The purpose of the study is to provide a range of potential options for the conservation, restoration and interpretation of the Dundurn landscape c. 1856-1862 with an implementation plan, cost estimates and maintenance plan for the recommended option.
- 1.1.3. The recommendations of this report must be integrated with building restoration and archaeological work in progress, and will form part of a master planning document for future site and waterfront development.
- 1.1.4. The report will form the basis for negotiating a cost sharing agreement between the City of Hamilton and the Canadian Parks Service, Environment Canada for the preservation of the nationally designated "Picturesque" Dundurn landscape.
- 1.1.5. For the purposes of this report the consultant will focus on the portion of the Dundurn estate bounded on the south by York Blvd., on the north by the railway lands and Hamilton Harbour and extending from the Inchbury Street lot line to the eastern edge of the main parking lot but also including the Gardener's Cottage at 25 Tecumseh Street and the adjacent MacNab burial plot known as Inchbuie. This will constitute the "historical zone". Harvey Park, which extends from the main parking lot to the T.B. McQuesten Bridge, will be outside the scope of the survey of vegetation, garden and landscape features, but will be considered for interpretive and site services issues. Except for issues of interpretation and significant views, the now privately owned building known as "Castle Deane", as well as adjacent historical features such as the Desjardins Canal, the railway terrace, the Hamilton Cemetery and Chapel, and the north half of Hamilton Harbour and shoreline, which are all relatively unaltered from the designated landscape period, shall be outside the scope of this report.

1.2. Cultural Services, The Department of Culture and Recreation

- 1.2.1. The Department of Culture and Recreation is dedicated to contributing to the quality of life for the citizens of, and visitors to, the City of Hamilton through the operation of recreational and cultural facilities, and through a variety of public and educational programmes and events.
- 1.2.2. The Cultural Services Division oversees the operation of five museums, which are Dundurn Castle, Whitehern, the Hamilton Military Museum, the Hamilton Museum of Steam and Technology, and the Hamilton Children's Museum, and coordinates and facilitates many of the City's Arts activities and events.
- 1.2.3. In matters of policy the Division receives guidance from the Hamilton Historical Board, which is composed of 13 interested citizens and 2 members of City Council. The Board reports through the Parks and Recreation Committee to City Council and has a mandate to advise and recommend on matters pertaining to City Museums and their grounds, and Hamilton's prehistoric and historic heritage.

1.3. A Brief Site History

- 1.3.1. The part of Burlington Heights now known as Dundurn and Harvey Parks contains a compelling material culture record of the prehistory and history of human occupation in the Hamilton area. Many of the major forces of development and change, from prehistoric hunting and agriculture through early European settlement, the War of 1812, the rise of industry, trade and transportation, and immigration are represented in the site's buildings, landforms, vegetation, and archaeological resource.
- 1.3.2. Currently the parks are home to two of the most successful community museums in the country. Dundurn Castle and the Hamilton Military Museum annually generate nearly 100,000 paid visitations. As well, the two parks constitute one of oldest and most popular public greenspaces in the downtown area.

1.3.3. Site Chronology

Geological:

- B.C. 12,000** The parks sit on top of Burlington Heights, a rise of land which separates Hamilton Harbour and Cootes Paradise. Less than 14,000 years ago this was one of the last beaches along the receding glacial Lake Iroquois, the prehistoric ancestor of Lake Ontario. The Heights are composed of sandy subsoil over a bedrock of silurian dolomite and Queenston shale.

1.3.4. **Prehistoric:**

B.C. 9,000 The parks are situated in what once was a rich hunting and fishing ground along the St. Lawrence-Great Lakes travel route. Archaeological evidence supports the human use of the site at least as far back as 9,000 B.C. by the Archaic, and later, by the Middle Woodland cultures. Recent evidence suggests native occupation in the early historic period as well. Activities may have included hunting and fishing, agriculture, and burial mound building.

1.3.5. **Historic:**

c. 1780 With the arrival of merchant and trader Richard Beasley prior to 1793, the site became one of the earliest locations of European settlement in the area. Beasley was actively engaged in trade until his estate was commandeered by the British and Canadian forces retreating from Fort George in 1813, and became the headquarters for the Niagara frontier. Colonel John Harvey led his troops from there to the pivotal Battle of Stoney Creek. Following the war Beasley sold his property to his cousin, John Solomon Cartwright.

**1.3.6.
1832** In 1832 the property was sold to Allan Napier MacNab who set about building an estate which became one of the finest in Upper Canada. MacNab's diverse careers as lawyer, entrepreneur, land speculator, investor, promoter and politician made him a driving force in Hamilton and Canadian society, and a leader in the economic and political life of the area. MacNab was knighted for his part in suppressing the Rebellion of 1837, and became Prime Minister of the United Provinces of Canada in 1854. Sir Allan died in 1862.

**1.3.7.
1862** After several years MacNab's complex estate was settled and his sister-in-law took possession of the property. It was leased in 1868 to the Provincial Asylum for the Deaf and Dumb, then sold to an American syndicate, apparently for conversion to a resort.

**1.3.8.
1872** In 1872 Senator Donald MacInnes purchased the property and it once again became a private home. Additions to the service wing of the house, and construction of the bowling alley, billiard room and stone stables probably date from his occupation.

**1.3.9.
1899** As early as 1893 the city expressed a desire to obtain the property for park and museum use. In 1899 the Parks Board purchased the estate and opened it as a park, zoo and general collection museum. In 1932 the present aviary replaced the zoo. In 1976 the site was enhanced with the opening of the Hamilton Military Museum in Battery Lodge.

- 1.4.1
1935 The historical nature of the park was established in its earliest days. The plaquing of various locations in the two parks began early in this century, primarily for the military role of the parks in the War of 1812 and the 1837 Rebellion. Burlington Heights was designated federally in 1935. Provincial plaques commemorate the Burlington Races and the careers of MacNab and Sir John Harvey.
- 1.4.2.
1967 In 1964 the City of Hamilton chose the restoration of Dundurn Castle and its grounds as its Centennial project. A committee was chosen from local interested citizens under the direction of the top restoration professionals of the day. Financial assistance was provided from all three levels of government.
- 1.4.3.
1977 The grounds and buildings were designated under the Ontario Heritage Act in 1977, and in 1983 a Heritage Easement Agreement between the City and the Ontario Heritage Foundation was signed which prohibits the commission of any act which would alter or damage the " historical, architectural, aesthetic and scenic character and condition " of the subject buildings and property.
- 1.4.4.
1985 In 1985 the Historic Sites and Monuments Board erected plaques marking MacNab's career and Dundurn, declaring the site to be of national importance because the Castle and " its outbuildings and grounds ... stand as an important example of the Picturesque Movement in Canada." In 1992 this designation was broadened to more specifically include the landscape:

"The Dundurn Castle grounds are a very rare example of a Picturesque estate which has survived relatively intact since the concept plan was initiated in 1834-37 and developed further in 1855-56."

This re-designation also made the restoration and preservation of the landscape eligible for participation in the cost sharing programme of the Canadian Parks Service, Environment Canada.

1.5. Issues

- 1.5.1 The Department of Culture and Recreation has a mandate to preserve and interpret its collections which include the portable artifact collection, built and above ground features such as buildings, earthworks, and gardens, and the rich archaeological resource of the site.

- 1.5.2. The grounds of the Dundurn estate historically have been as important as its buildings. Initially MacNab hired a master gardener and an architect familiar with the landscape based Picturesque style of villa design. MacNab spent a lifetime improving his grounds, and was an active member of local gardening and horticultural societies. The estate reached the final expression of its planning in the Picturesque style in the period from 1855 to 1862, following a plan commissioned from landscape architect George Laing. Following MacNab's death the site passed through several ownerships and uses. Numerous, mostly superficial, changes to the site and altered maintenance practices have made the original landscape plan less apparent.
- 1.5.3. The restoration of the grounds, as contemplated in 1965-67, was never completed due to lack of funding. The interpretive plan for the site has therefore never been carried out in full.
- 1.5.4. The development of the grounds for interpretive purposes has been identified as a feasible and highly desirable project in a study completed in 1987. Given the rising interest in gardening and environmental issues and the growing importance of cultural tourism, the feasibility will not diminish in the near future.
- 1.5.5. The statements of purpose of the two site museums include a number interpretive themes and sub-themes derived from the site's history and the museums' collections. All interpretive activity on the site should support those themes.
- 1.5.6. Currently the two museums are among the most successful community museums in the province, however the full potential of the site as an international attraction has never been drawn upon. The recreation of the nationally significant Dundurn landscape immediately adjacent to the world famous Royal Botanical Gardens will create an unparalleled cultural tourism destination for the region.
- 1.5.7. In addition to their museum use, Dundurn and Harvey Parks are used extensively by citizens and visitors for a variety of activities such as walking, picnicking, etc. Dundurn is also home to an aviary which, although not a component of the designated landscape, is a popular and desirable feature of the park. Additionally, the parks are the last link in a chain of unique and beautiful parklands which comprise the formal western entrance to the City.
- 1.5.8. As the second museum on the grounds, the Hamilton Military Museum has enjoyed a high rate of visitation. It has been actively collecting for many years. The quality of its collection and programming have recently been recognized nationally by affiliation with the Canadian War Museum. Its potential for interpretation within the context of the park should be considered.

2.0 Conservation Plan Requirements

2.1 Tasks

- 2.1.1. The consultant shall complete, or have completed on the City's behalf, the following tasks in a professionally competent manner using appropriate methodologies and supporting documentation. These tasks include:
(2.1.2, 2.1.3, 2.1.4, 2.1.5, 2.1.6, 2.1.7, 2.1.8)

- 2.1.2. ● a review of the following materials:

- archaeological reports for 1990, 1991, 1992 and 1993,
- building conservation study,
- building restoration documents,
- manuscript report on "The Landscape of Dundurn Castle" prepared for the Canadian Parks Service by Fern Graham;
- on-site files of historical documentation;
- guidelines for the implementation of the national cost sharing programme.

- 2.1.3. **Review and comment on the "Landscape Restoration Feasibility Study for Dundurn Castle", (Landplan Collaborative Ltd., 1987), giving consideration to recent historical and archaeological research and site development issues;**

- 2.1.4. **Complete survey of vegetation and garden and landscape features on the Dundurn grounds with particular emphasis on possible remnant elements from the period 1856-1862.**

Extensive historical and archaeological research is available to assist in this. This information will be suitably recorded on an appropriate plan of the site (on a scale no greater than 1" = 20') and using colour slides and prints. Features too complex to record at 1" = 20' shall be included as separate details at an appropriate scale. This survey should also include site observations, indications of significant views and vistas (both apparent and potential), natural and manmade features, and relevant weather and microclimatic information. Selective samples will be taken with an incremental borer to determine the age of the treed "allees" to the north and east of the main building. The consultant will provide four copies of site plan and details.

- 2.1.5. **Provide a range of at least three potential options for the preservation, restoration, and interpretation of the historic landscape, focusing on the designated Picturesque landscape, but with interpretive strategies for the broad history and prehistory of the site in first interim draft form. The consultant will supply two copies of this draft.**

2.1.6. The consultant will facilitate two half day presentations of the three draft options (see 2.1.4) as follows:

- 1/2 day presentation to the landscape restoration committee consisting of Hamilton Historical Board and LACAC members, appropriate City representatives, Parks Canada staff and group stakeholders (Garden Club of Hamilton and appropriate military groups).
- 1/2 day presentation to interested citizens for public input.

The consultant will gather information from these presentations as well as any written comments received from the first draft to determine, in consultation with City staff, the preferred option to carry out the landscape restoration project which will consider:

- the placement and location of all features of the plan such as walls, fences, garden features, circulation systems and security requirements,
- Construction details and/or specifications for the above,
- Locations and specifications for plant materials (botanical and common names, quantities and size, and any special directions) including ornamental and production gardens and orchards, formal lawns, park and natural regeneration areas.

2.1.7. The consultant will then prepare a second draft which will also include:

- the rationale for selecting the chosen option within the context of overall site development concepts and conservation issues
- an implementation schedule
- a maintenance plan
- a concept for treatment and integration of contemporary services and elements
- a breakdown of costs

After receiving committee comments and approval for the second draft **the consultant will provide three copies of the final report**, excluding photo documentation for which one set and negatives will suffice.

2.1.8. The consultant shall prepare a schedule for carrying out the required tasks described in the Conservation Plan Requirements.

2.1.9. The consultant shall allow for meetings in Hamilton at each stage of the planning process, but in any case no less than five days shall be allotted. In addition a presentation of the final report will be made to the Hamilton Historical Board and City staff and the Garden Club of Hamilton.

2.1.10. In preparing the above constant reference shall be made to the attached "guidelines for the implementation of the national cost sharing programme" for landscapes which are national historic sites to ensure that terminology and definitions are consistent with those used by the programme, and all requirements of for the conservation study and the Cultural Resource Management Policy of Parks Canada are met.

2.1.11. Curatorial, archaeological and City staff will be available for consultation throughout the planning period.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **NINETEENTH** Report for 1993 and respectfully recommends:

1. (a) That further and in addition to Section 12 of the Eleventh Report of the Parks and Recreation Committee for 1993, adopted by Hamilton City Council on 1993 June 29, granting conditional approval to the City of Burlington to restore the LaSalle Park Pavilion, the plans prepared by Philips Planning & Engineering Limited, dated 1993 November 10 and identified as Project No. 91060, Drawing Nos. S1 to S6 and M1, ME2 and E1, ordered by Burlington at its expense and submitted to Hamilton as Landlord for review, be approved.
- (b) That the said approved plans be attached to and/or referred to, as may be required by the Director of Property in the Lease amending agreement approving the alterations, authorized by City Council on 1993 June 29.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1993 November 30

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **EIGHTEENTH** Report for 1993 and respectfully recommends:

1. That Zoning Application 93-33, Ned Janjic and Gerda Kugler, owners, requesting a further modification to the established "H" (Community Shopping and Commercial, etc.) District, to permit a billiard room on the second floor of the existing building located at 303 York Boulevard, as shown on the attached map marked as Appendix "A", be approved on a one year temporary zoning basis.

AMENDED AND CARRIED.

Recorded vote on the amendment

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, D'Amico, Ross. -11.

NAYS: Aldermen Kiss, Copps, Wilson, Jackson, Anderson. -5. **CARRIED.**

* * * * *

Recorded vote on Section 1, as amended

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, D'Amico, Ross. -11.

NAYS: Aldermen Kiss, Copps, Wilson, Jackson, Anderson. -5. **CARRIED.**

2. That approval be given to Zoning Application 93-30, Benemar Construction Inc. and The City of Hamilton, owners, requesting a change in zoning from "RT-20" (Townhouse - Maisonette) District, modified to "AA" (Agricultural) District (Block "1"), and from "AA" (Agricultural) District, modified to "RT-20" (Townhouse - Maisonette) District (Block "2"), to allow Block "1" to be added to the adjoining open space lands (located at the north-east corner of Upper Wentworth Street and Vineberg Drive), and to allow Block "2" to be developed for townhouses or maisonettes, in conjunction with the adjoining lands to the east, for lands shown on the attached map marked as Appendix "B", on the following basis:
 - (a) That Block "1" be rezoned from "RT-20" (Townhouse - Maisonette) District, modified to "AA" (Agricultural) District;
 - (b) That Block "2" be rezoned from "AA" (Agricultural) District, modified to "RT-20" (Townhouse - Maisonette) District;
 - (c) That the Director of Local Planning be directed to prepare a By-law to amend Zoning By-law No. 6593, and Zoning District Map E-27E for presentation to City Council;
 - (d) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area; and
 - (e) That the Chappel East Neighbourhood Plan be amended by redesignating Block "1" from "Attached Housing" to "Open Space", and Block "2" from "Open Space" to "Attached Housing".
3. A. That approval be given to amended Zoning Application 93-16, Diana Marie Hubbard and Edith Held, owners, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District modified, to permit development of the subject lands for law offices, for the property located at 1367 Upper James Street, as shown on the attached map marked as Appendix "C", on the following basis:
 - (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District;

- (b) That the "HH" (Restricted Community Shopping and Commercial) District regulations, as contained in Section 14A of Zoning By-law No. 6593, be modified to include the following variances as special provisions:
 - i. That notwithstanding Section 14A.(3)(a) of Zoning By-law 6593, a front yard of a depth of not less than 24.0 m (80 ft.) shall be provided and maintained along the entire westerly lot line;
 - ii. That Section 14A.(3)(c) of Zoning By-law 6593, shall not apply;
 - iii. That a minimum 3.0 m (10 ft.) wide landscape area shall be provided and maintained along the entire westerly lot line, except any area used for the vehicular access;
 - iv. That a minimum 1.2 m (4 ft.) wide planting strip, and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained along the southerly lot line, abutting a residential use.
 - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Section S-1321, and the subject lands on Zoning District Map E-9C be notated S-1321;
 - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9C for presentation to City Council;
 - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- B. That the amending By-law not be forwarded for passage by City Council until such time as:

- (a) That the applicant (Diana Marie Hubbard and Edith Held) be required (with the consent of the Land Division Committee) to enter into right-of-way agreement(s) with the property owners to the north (Gombar Yolanda), and east (Estate of Wilfred Horning) to provide for permanent shared access to Upper James Street, over the lands of the applicant and over the lands to the north and east, binding on the respective property owners', heirs, successors and assigns.
 - (b) That the applicant's solicitor be required to provide to the City Solicitor a Solicitor's Certificate to the City certifying that the required right-of-way agreements have been entered into, registered and are binding upon the applicable landowners.
 - (c) That the applicant be required to fulfil Items (a) and (b), within 6 months of this Council Resolution and in default thereof, this approval resolution shall cease and no longer be in force.
- 4. That approval be given to amended Zoning Application 92-41, Shedaco Holdings Limited (R.S. Shelley), owner, for changes in zoning from "AA" (Agricultural) District to "B" (Suburban Agriculture and Residential, etc.) District (Block "1"), and to "C" - 'H' (Urban Protected Residential, etc. - Holding) District (Block "2"), to permit future development of Block "2" for single-family dwellings, for lands located at No. 625 Rymal Road West, as shown on the attached map marked as Appendix "D", on the following basis:
 - (a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, to Block "2", by introducing the holding symbol 'H' as a suffix to the proposed Zoning District which will prohibit the development of the subject lands until municipal storm and sanitary sewers are available.

Removal of the holding restriction shall be conditional upon the availability of all such municipal storm and sanitary sewers servicing the subject lands as the City deems necessary and passage of an amending By-law. City Council may remove the 'H' symbol, and thereby give effect to the "C" District provisions as stipulated in this By-law, by enactment of an amending By-law once municipal sewers are available.
 - (b) That Block "1" be rezoned from "AA" (Agricultural) District to "B" (Suburban Agriculture and Residential, etc.) District;

- (c) That Block "2" be rezoned from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District;
 - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-27E for presentation to City Council;
 - (e) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
5. That approval be given to Zoning Application 93-23, Don Newman, c/o Newman Developments, prospective owner, requesting a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, modified, to permit a seven (7) storey, 66 unit multiple dwelling (apartment building), and a three (3) storey, 18 unit multiple dwelling (stacked townhouses), on lands known as 145 MacNab Street North, as shown on the attached map marked as Appendix "E", on the following basis:
- (a) That the subject lands be rezoned from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District;
 - (b) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - i. That notwithstanding Section 11(2)(ii), the multiple dwelling fronting onto Cannon Street West shall not exceed seven (7) storeys in height and the second multiple dwelling fronting onto MacNab Street North shall not exceed three (3) storeys in height;
 - ii. That notwithstanding Section 11(3)(ii)(b), the following shall be required:
 - a minimum westerly side yard width of 4.5 m for the multiple dwelling fronting onto Cannon Street West;
 - a minimum easterly side yard width of 3.0 m for the multiple dwelling fronting MacNab Street North;

- a minimum westerly side yard width of 2.5 m for the multiple dwelling fronting MacNab Street North;
 - iii. That notwithstanding Section 11(6), not less than 40% of the area of the lot shall be provided and maintained as landscaped area;
 - iv. That notwithstanding Section 18(3)(vi)(a), an ornamental wall projection at the front entrance of the multiple dwelling fronting onto Cannon Street West may project not more than 1.6 m into the easterly side yard;
 - v. That notwithstanding Section 18(3)(vi)(cc)(iii), balconies of the multiple dwelling fronting onto Cannon Street West may project not more than 1.4 m into the required side yard;
 - vi. That notwithstanding Section 18A, a minimum of one (1) 3.7 m x 18.0 m x 4.3 m loading space shall be provided and maintained on site;
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1321, and that the subject lands on Zoning District Maps W-3 and W-4 be notated S-1322;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-3 and W-4 for presentation to City Council;
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,
- (f) That the approved Central Neighbourhood Plan be amended by redesignating the subject lands from "COMMERCIAL" to "MEDIUM DENSITY APARTMENTS".

6. (a) That Mr. F. Westaway, Chief Noise Control Officer, Public Works Department, be authorized to undertake noise studies, at a maximum cost of \$7,150. for the following two areas which may be affected by the Hamilton GO Transit Service Expansion:
- i. The Victoria Avenue Layover Yard, which extends from Victoria Avenue to Wentworth Street, between Alanson Street and Charlton Avenue; and
 - ii. The Hunter/Canada Street Cut, located from Dundurn Street to Queen Street, between Hunter Street and Canada Street;
- (b) That this matter be referred to the Finance and Administration Committee. in order that they may recommend the appropriate method of financing for this project; and
- (c) That the results of these noise studies and related analysis be reported to the Planning and Development Committee, for forwarding on to GO Transit, the Ministry of Environment and Energy (M.O.E.E.), and C.P. Rail.
7. That City Council amend By-law 93-167 to provide the following building permit fee.

Class of Permit

Fee

Installation of Siding for Single Family Dwelling	\$75.
---	-------

8. (a) That an Agreement by Owner to Accept compensation, executed by Donald Arnott, on 1993 November 15, and scheduled to close on or before 1993 December 7, for the lands being part of Lot 9, Concession 1, in the former Township of Barton, part of Plan 547, more specifically described as Parts 1, 2 and 4 on Expropriation Plan No. 38851 (together with a right-of-way over Part 3), having a frontage of 6.12 metres (20.08 feet) more or less, along the westerly limits of Sherman Avenue North, containing an area of 173.2 square metres (1,864.4 square feet) more or less, known municipally as 403 Sherman Avenue North, be approved and completed and the total compensation of \$61,400.77 (\$55,923.35 having already been paid to the former owner on November 4, 1993) be charged to Account No. CF 5590 308750001 (Land Acquisition - Enclave Clearance Program).

- (b) That the Mayor and City Clerk be authorized and directed to executive the Agreement on behalf of the City.
9. (a) That a letter be sent to the Minister of Housing and the Minister of Culture, Tourism and Recreation requesting the co-operation of the two Ministries in co-ordinating funding for Non-Profit Housing so that funds can be put towards the improvement of the neighbourhood streetscape and not result in the demolition of listed and designated heritage buildings; and
- (b) That a letter be sent to the Minister of Housing Requesting that the Province consult with the City regarding proposed Non-Profit Housing Projects before the funding is approved.
10. That a letter be sent to the Honourable Bob Rae, Premier of Ontario and the Honourable David Christopherson, Attorney General, supporting the allocation of funds for the completion of the consolidated Hamilton Court House to be located at 10 John Street South, a designated building in the City of Hamilton.
11. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, four hundred and sixty six, (\$1,466.) be approved for Grace Williams, 94 Edinburgh Avenue, Hamilton. The interest rate will be 8 percent amortized over 5 years.
12. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand nine hundred and eighty (\$1,980.) be approved for Susan Underhill, 10 Huron Street. The interest rate will be 8 percent amortized over 5 years.
13. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, three hundred and fifty (\$1,350.) be approved for Yat Lee, 50 Barton Street East. The interest rate will be 8 percent amortized over 5 years.
14. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand six hundred and five (\$1,605.) be approved for Herbert Wodehouse, 1A Roanoke Place. The interest rate will be 8 percent amortized over 5 years.
15. That a Commercial Loan in the amount of nine thousand, four hundred and fifty-five (\$9,455.) be approved for Dan Kwiatkowski. The interest rate will be $2 \frac{7}{8}$ percent amortized over ten (10) years.

16. That the Building Commissioner be authorized to issue demolition permits for:
 - (a) 138 Park Street North
 - (b) 6 Dunraven Avenue
17. (a) That approval be given to application 25CDM-93004, Shoreline Gardens Limited, owner, to establish a draft plan of condominium located on the south side of Limeridge Road East between Upper Wellington Street and Upper Wentworth Street, subject to the following condition:
 - i. That this approval apply to the plan prepared by Bryan Jacobs, O.L.S., and date stamped 1993 April 8, showing 12 residential units in a 3-storey building.
- (b) That the Commissioner of Planning and Development for the Regional Municipality of Hamilton-Wentworth be advised of Council's decision.
18. (a) That the request of David A. Elliott, Solicitor for 800064 Ontario Limited, to establish maintenance easements by removing part-lot control from Lot 1, and from Lots 3 to 14 inclusive, "Claudette Gardens, Phase 4" plan of subdivision, 62M-746, be approved;
- (b) That the appropriate by-law to remove part-lot control from Lot 1 and from Lots 3 to 14 inclusive, "Claudette Gardens, Phase 4" plan of subdivision, be enacted by Council;
- (c) That following enactment of this by-law, that the Regional Municipality of Hamilton-Wentworth (as delegates of the Minister of Municipal Affairs) be requested to grant approval to the by-law and endorse the same on the by-law;
- (d) That following completion of the conveyances being permitted by the said by-law to remove part-lot control, a by-law be enacted to repeal the said by-law; and
- (e) That the existing Subdivision Agreement registered on title to this subdivision on 1993 October 15th, as Instrument No. LT352794 be amended to replace its provisions and schedules regarding the required maintenance easements so as to approve the maintenance easements provided for in the revised draft Reference Plan, prepared by J.P. Wooley Surveying and referenced by them as project No. 93-206-13.

19. That leave be granted to introduce the following Bills:

- (a) C-82 By-law to Amend Zoning By-law No. 6593 as amended by Zoning By-law No. 73-303 respecting lands located at Municipal Nos. 305 and 307 Main Street West
- (b) C-83 By-law to Amend Zoning By-law No. 6593 as amended by Zoning By-law No. 92-003 and to repeal Zoning By-law No. 93-087 respecting land located at Municipal No. 1341 Upper James Street
- (c) C-84 By-law to remove land within the Claudette Gardens, Phase 4 Subdivision, Plan 62M-746 from Part Lot Control
- (d) C-85 By-law to Amend Zoning By-law No. 6593 as amended by Zoning By-law No. 79-326 respecting land located at the rear of Municipal No. 1462 Upper Sherman Avenue
- (e) C-86 By-law to Amend Zoning By-law No. 6593 respecting land located at Municipal No. 528 Mohawk Road East (South East Corner of Mohawk Road East and Upper Sherman Avenue)
- (f) C-87 By-law to establish Site Plan Control respecting land located at Municipal No. 528 Mohawk Road East (South East corner of Mohawk Road East and Upper Sherman Avenue)
- (g) C-88 By-law to Amend Zoning By-law No. 6593 respecting lands located in the area east of Upper Wentworth Street and north of Vineberg Drive
- (h) C-89 By-law to Amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 1321, 1329, 1335, 1339 and 1343 Upper Wellington Street.

20. (a) That the proposed plan of condominium prepared by J. D. Barnes Limited on behalf of M. and A. Singh, owners, dated 1993 June 9, showing 15 residential units at No. 293 Limeridge Road West, be draft approved;
- (b) That the Mayor and the City Clerk be authorized to grant draft approval by signing the draft plan; and,
- (c) That the Mayor and the City Clerk be authorized to sign the final plan once the owner has fulfilled the requirements under the Rental Housing Protection Act.
- ADDED AND CARRIED.**

RESPECTFULLY SUBMITTED,

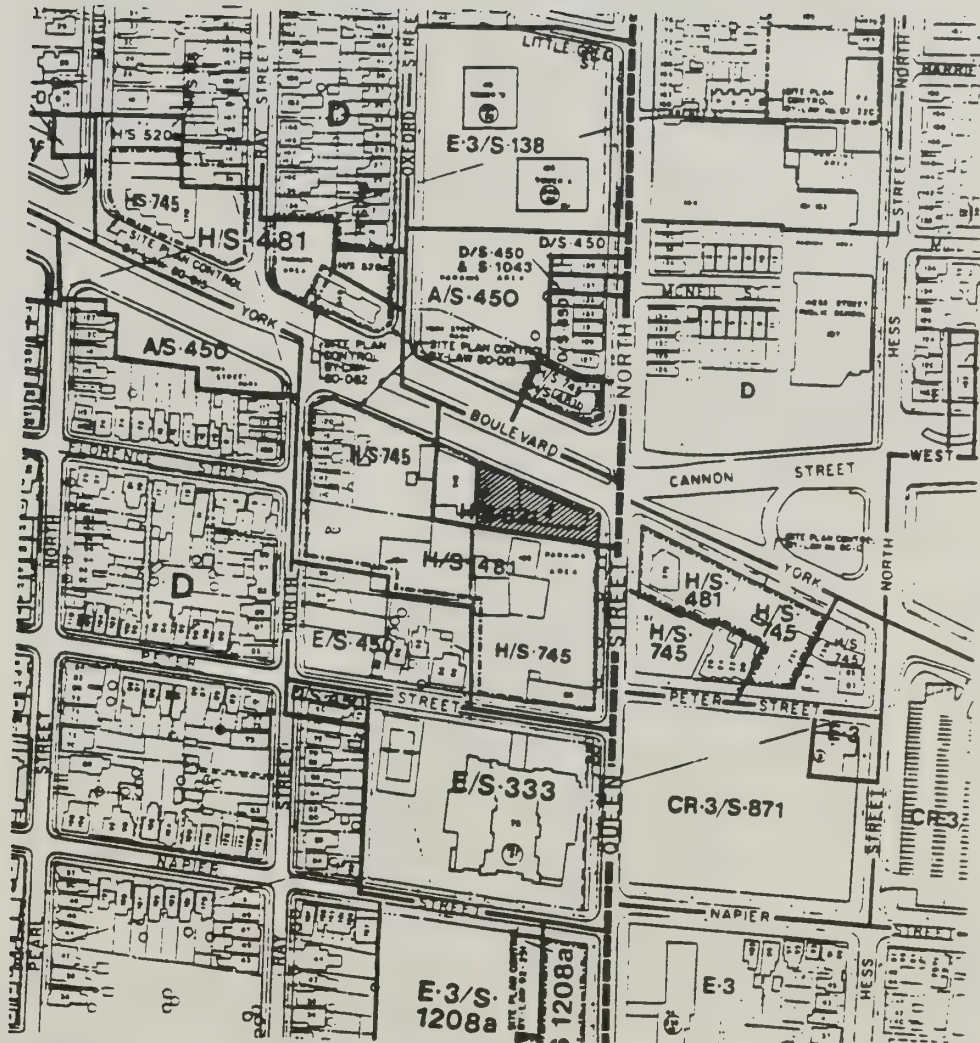
**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

Tina Agnello
Secretary

1993 November 24

1993 November 30

Appendix "A" as referred to
in Section 1 of the EIGHTEENTH
Report of the Planning and
Development Committee for
1993



Legend



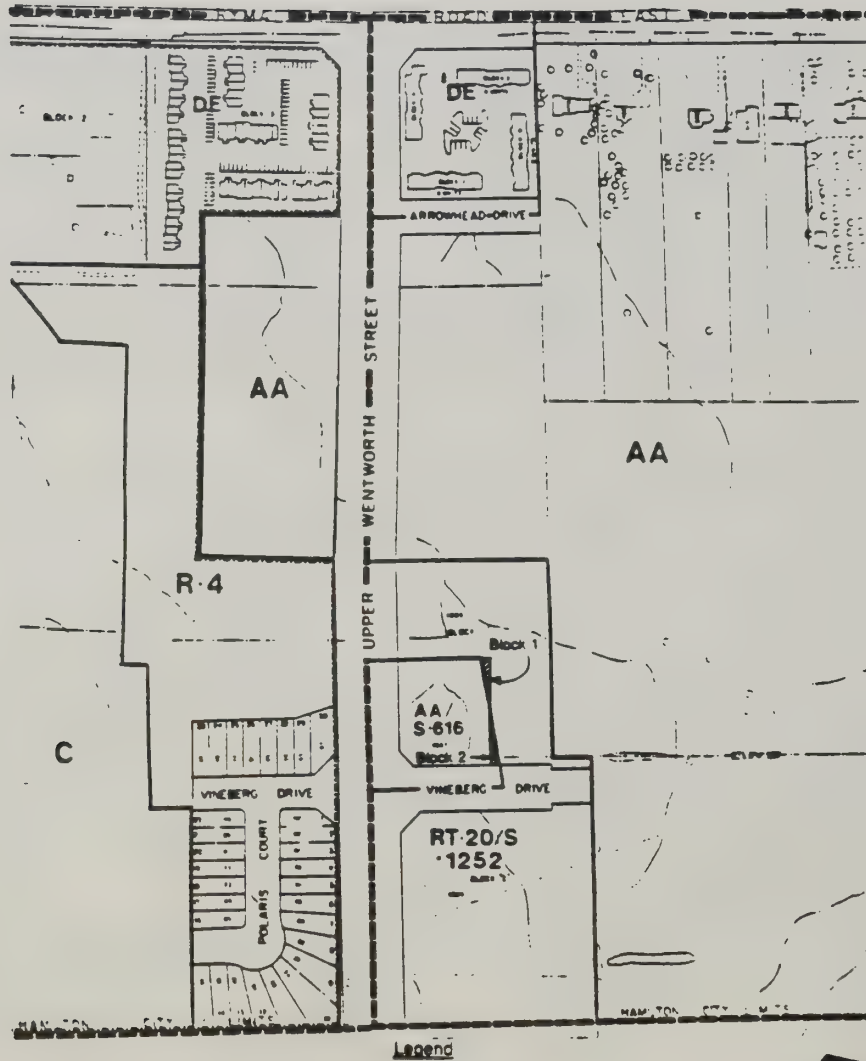
Site of the Application



ZAR-93-33

1993 November 30

Appendix "B" as referred to
in Section 2 of the EIGHTEENTH
Report of the Planning and
Development Committee for
1993



Legend

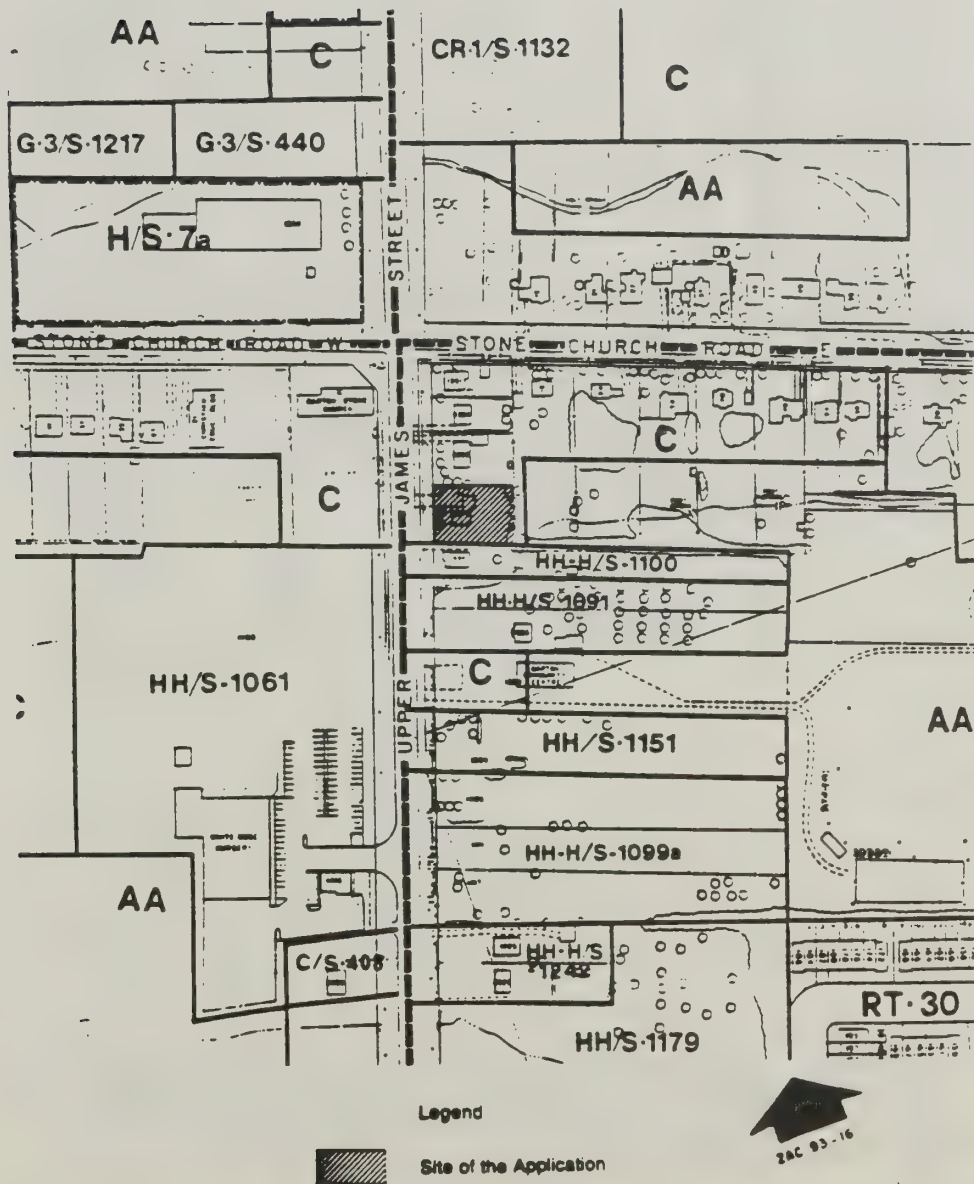
Proposed Change in Zoning From

- | | | |
|---------|---|--|
| Block 1 |  | "RT-20" (Townhouse - Masonette) District, modified to "AA" (Agricultural) District |
| Block 2 |  | "AA" (Agricultural) District, modified to "RT-20" (Townhouse - Masonette) District |


ZAR-93-30

1993 November 30

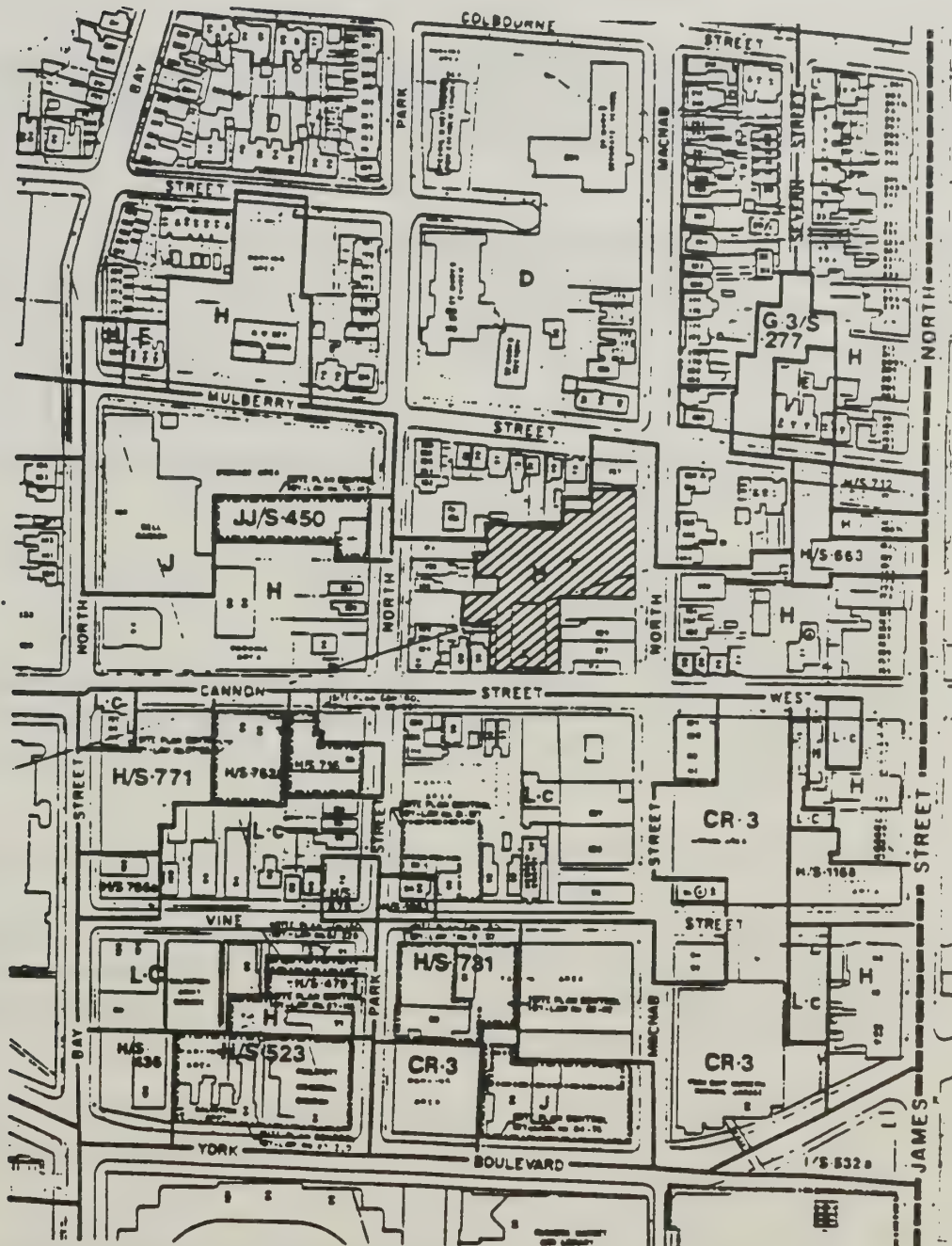
Appendix "C" as referred to in
Section 3 of the EIGHTEENTH
Report of the Planning and
Development Committee for
1993



**Appendix "D" as referred to
in Section 4 of the EIGHTEENTH
Report of the Planning and
Development Committee for
1993**



1993 November 30



LEGEND



Site of the Application

ZAC-93-23

REPORT OF THE SPECIAL COMMITTEE TO ADMINISTER THE HAMILTON-SCOURGE PROJECT

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Special Committee to Administer the Hamilton-Scourge Project presents its **FIRST** Report for 1993 and respectfully recommends:

1. That the 1994 HAMILTON-SCOURGE Project Development Plan be approved as contained in Appendix "A".
2. That the Director of Culture and Recreation be authorized to initiate a Letter of Engagement with a Contract Archaeologist for the next phase of the Hamilton-Scourge Project at a 1994 cost not to exceed \$10,000. financed from operating account CH55261-73001.
3. That the terms of the Letter of Agreement be satisfactory to the City Solicitor.
4. The Director of Culture and Recreation be authorized to co-ordinate the retrieval of all relevant Jason Project Imagery data base from Woods Hole Oceanographic Institute for preparation of a Licence application to the Ministry of Culture, Tourism & Recreation for a joint project dive in July-August 1994.
5. That the Finance and Administrative Committee be requested to approve the funding for this capital expenditure from the Conservation Laboratory Centre Capital Account #738841002.
6. That the Director of Culture and Recreation be authorized to finalize applications to the Ministry of Culture, Tourism and Recreation for the funding necessary for the Government (Provincial and Municipal) to cost share the joint project.

1993 November 30

7. That the Director of the Culture and Recreation be authorized to negotiate an agreement subject to approval with the City Solicitor with IMAX Corporation to manage the licence application and Hamilton-Scourge Site Project '94 with tri-party partnership with W.H.O.I.
8. That the Director of Culture and Recreation be authorized to co-ordinate with the Government of Canada - PARKS CANADA the necessary national application requirements and apply for available Heritage Grants.

Respectfully submitted,

S. J. Dembe, Secretary
November 24, 1993

ALDERMAN W. M. McCULLOCH,
CHAIRPERSON

*APPENDIX "A" as
referred to in Section
1 of the First Report
of the Hamilton-
Scourge Report for
1993*

HAMILTON-SCOURGE PROJECT DEVELOPMENT PLAN

October 1993

HAMILTON-SCOURGE PROJECT DEVELOPMENT PLAN - October 1993

1993 November 30

PREAMBLE

The need for a defined "approach" to the development of the Project has been emphasized for sometime. The need to consolidate long and short term planning is required as we look to the future.

The Woods Hole Oceanographic Institute is now ready to provide support for a Licence Application with IMAX Corporation for a follow-up from the Jason Project.

It is the intent of this report to present an action based, pro-active approach towards a "desirable" future for the Project. To initiate much needed credibility and acceptance on a wide scale for the HAMILTON-SCOURGE Project.

Section # 1 BACKGROUND

History of the Project

- 1971 The HAMILTON-SCOURGE Project was initiated by the Office of the Chief Archaeologist of the Royal Ontario Museum, Toronto. The driving force behind the search was Dr. Daniel A. Nelson, Research Associate, New World Archaeology, Royal Ontario Museum.
- 1973 HAMILTON and SCOURGE were located with the co-operation of the Canada Centre for Inland Waters (CCIW), using side-scan sonar.
- 1975 Videotape recordings of HAMILTON's hull and rudder as well as spars, a platter, the ship's board, human bones and a box of cannonballs were obtained from the TV camera of TROV, a prototype unmanned submersible.
- 1978 Another unmanned television photographic probe, Sea Scanner, observed a gun, the ships railing, some sweeps (oars) and spar.
- 1980 The City of Hamilton sought, and consequently was granted, title to the two wrecks.
- The Jacques Cousteau team visited the site during an expedition to the Great lakes (NBF film called "Stairway to the Sea"). The diving submersible, SOUCOUP, made several dives on HAMILTON, providing approximately 40 minutes of movie footage and many 35mm photographs.
- 1981 The HAMILTON and SCOURGE Foundation, Inc. was incorporated. It is a non-profit group whose main purpose is to raise funds for the Project.

- 1982 The HAMILTON and SCOURGE Society, a non-profit organization, was formed. The primary purpose of this organization is to bring together those citizens interested in the vessels HAMILTON and SCOURGE.
- National Geographic Society and the HAMILTON-SCOURGE Foundation, Inc. conducted an underwater photographic survey. Approximately 26 hours of videotape and about 1,800 slides were obtained. This material is extremely valuable for both scientific and publicity purposes.
- 1983 National Geographic magazine published a 17 page article, authored by Dr. Nelson, about the search and discovery of HAMILTON and SCOURGE. This has contributed significantly to world-wide recognition of the Project.
- 1983/1984 Publication of GHOST SHIPS, by Emily Cain, an exquisitely illustrated 160 page book, published by the Musson Publishing Group in Canada and the United States, and by the Foundation in Great Britain.
- 1986 Establishment of the HAMILTON-SCOURGE Project Feasibility Study Steering Committee, with representation from Parks Canada, the provincial Ministry of Citizenship and Communications, and the Corporation of the City of Hamilton. The Steering Committee was to oversee the work of a Technical Study Team of specialists in Archaeology, Conservation, and Engineering in drawing up a Feasibility Study Plan for the Project.
- 1988/1989 Completion and approval of the HAMILTON-SCOURGE Project Feasibility Study Plan, and initiation of Study process.
- Jan. 1989 Dr. Jack Wade, Chairman of the HAMILTON-SCOURGE Feasibility Study Steering Committee requests Dr. Ballard make his offer in relation to the Feasibility Plan.
- May 1989 The HAMILTON SCOURGE Project Feasibility Study Plan and Dr. Ballard's offer in relation to this Plan accepted by Resolution of Hamilton City Council.
- 1990 During an expedition by Dr. Robert D. Ballard and his team from the Woods Hole Oceanographic Institution (Project Archaeologist, Dr. Margaret Rule) relation to the Jason Foundation for Education, detailed electronic photography and other measurements were completed of both vessels on site. Project management was provided by Canada Centre for Inland Waters (CCIW). 250,000 students participated in live scientific research by attending broadcasts at fourteen downlink sites across North America. Turner Broadcasting created the television programming which the electronic Data System (EDS) Corporation transmitted via satellite.

Dr. Margaret Rule, C.B.E., F.S.A. presents THE HAMILTON-SCOURGE Project, Jason Underwater Archaeological Final Report listing a number of recommendations that require addressing before the feasibility of preserving, raising and conserving the HAMILTON and SCOURGE can be determined.

Section # 2

BASIC PRINCIPLES

This development plan outlines the basic principles required to deliver the credibility, acceptance and course of action necessary to ensure a successful future on a wide scale for the Project and most importantly to deliver the integral goal of sustainability for the Project.

o OPERATIONAL REVIEW

The infrastructure of staff levels and committee require modification to address a different intensity of activity.

The core team commands a cohesive, co-operative team representing the various involved elements and disciplines in order to weld a team capable of achieving the Project objectives.

The first step towards a focused purpose will be to consolidate the resources on an employee level. The development of a Core Team to include:

- o Director of Culture and Recreation
 - to direct the Program
- o Manager of Planning
 - to co-ordinate and administer the Project
 - to ensure final recommendations are transmitted to appropriate committee
- o Business (Administrative) Assistant
 - to communicate and follow up through with on-going administrative requirements
- o Contractual Project Archaeologist
 - to be responsible for seeing that the objectives are attained following the prescribed guidelines
 - more specifically responsible for balancing the technical requirements of the several disciplines to achieve the best possible results for everyone and with minimal intervention into the site.

- Contractual Project Conservator
 - to preserve and maintain the heritage value of all objects that are retrieved. The feasibility of doing this is to determine by: ^{1893 November 30} (1) predicting the outcome of proven approaches to conservation (based on the results of similar work on comparable projects and test samples from the unique environment and condition of the Hamilton-Scourge site itself; (2) comparing those predications with the present in situ appearance/condition of the wrecks; and, (3) assessing, with the assistance of archaeology and other appropriate disciplines, the effect(s) of any changes in condition on the heritage value of the object(s).

Additional Core Team Members (Advisory) external to staff deployment includes:

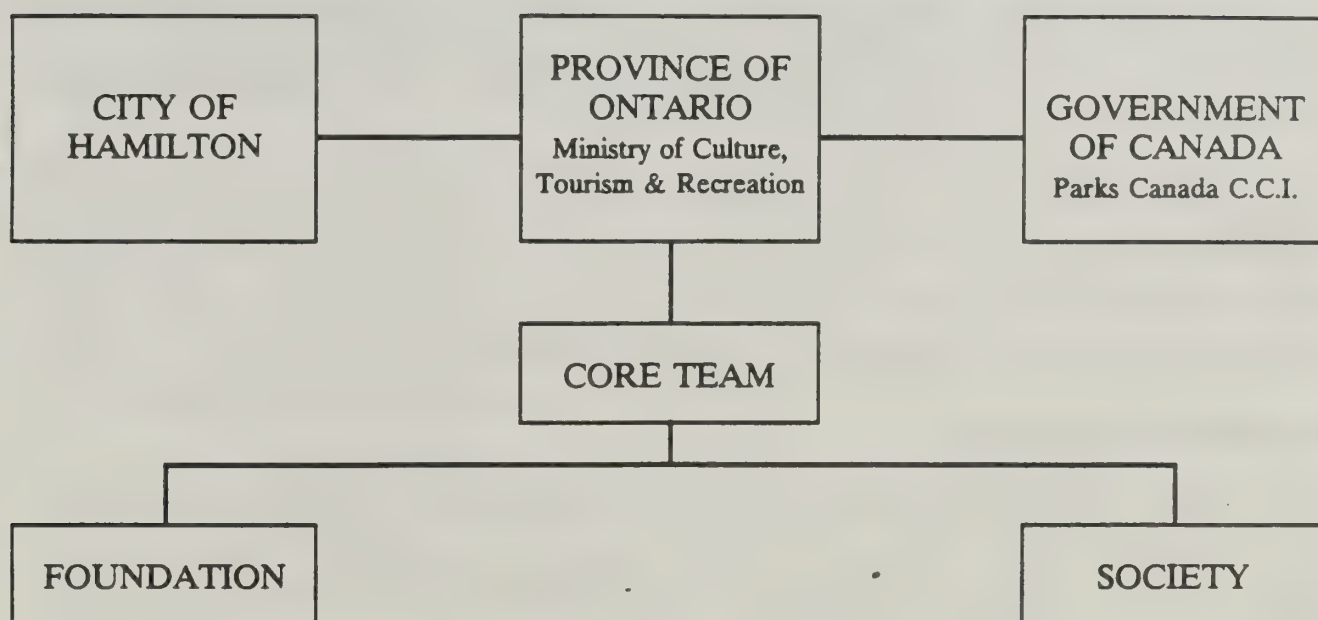
- Province of Ontario - Ministry of Culture, Tourism and Recreation Archaeological Research Branch
 - To be included and in receipt of all core team happenings for participation, support, assistance and partnership.
- Government of Canada
 - a) PARKS Canada
 - To be used in a resource capacity, primary function the provision of advise and consultation.
 - b) Canadian Conservation Institute
 - To be used in a resource capacity, primary function the provision of advise and consultation.
- John Ames
 - John brings to the core committee, a naval background, a wealth of historical knowledge, - task to assist in the development statements of historical significance to determine a proper research perspective. John also brings a long commitment and involvement with the Hamilton and Scourge Project.

This CORE TEAM will be charged with:

- Review the Hamilton Scourge Feasibility Study in relation to analyzed W.H.O.I. data.
- To discuss the recommended short and long range projects as presented in the 1990 Jason Archaeological Report.
- Develop a renewed foundation with senior levels of government.
- To clearly present a sequence of events.
- The ability and provision to access wide areas of relevant expertise
- Most importantly a chain of command and a process of decision making.
- To create and identify "spin offs" with private sector partners to build a scientifically-based successful programme around the vessels.

A LOOK AT THE ORGANIZATIONAL STRUCTURE...

HAMILTON SCOURGE ORGANIZATIONAL STRUCTURE



This organization structure operates in a stream lined manner and provides the foundation for building competency and trust.

This organization structure operates in a stream lined manner and provides the foundation for building competency and trust. All participants can clearly understand their roles.

There will be need to assemble of a technical committee of professional on an ad-hoc basis who respond with the relevant expertise required to address the operational sequence of events. This is where the expertise of C.C.I.W., Wood Hole Oceanographic Institute, etc. support and assist in the Project's operational plan.

Section # 3

BUSINESS PLAN

The Business Plan need not be complex but flow from an agreed mandate.

No one can doubt that the remains of the Hamilton and Scourge represent important national, and in certain respects, international heritage resources. As the sites have received extensive publicity, any future work, subjected as it would to world-wide scrutinizing, has to be conducted in a proper manner. It must be free of controversy and must meet acceptable scientific and ethical standards.

Project Goals

1993 November 30

The Hamilton and Scourge Project has been organized to investigate, recover, preserve and develop these unique and important resources. Accomplishing these goals will require a systematic archaeological investigation supported by sophisticated engineering, complex conservation, curation, innovation display, and interpretation. Within the context of those overall goals, a complex series of objectives must be met.

Objectives

The first objective is to generate sufficient data to support basis decisions about on-site archaeology, engineering, conservation, display and interpretation.

Methodology and Rationale

Before the site is revisited, all in-hand data must be exhaustively studied and interpreted. Only by knowing what we have, can what we need be ascertained. Success is only achievable if the work is fully understood and defined. It is here that the Project's credibility and acceptance has experienced a shortfall.

The previous dives including the Jason Project have provided a tremendous amount of raw data. Simply put this wealth of information has not been processed into an accessible format which can be reduced, studied and translated. It is imperative that we implement a data base and management plan.

Data Base Management

The project is being conducted in phases in order to give us strategic information for identification, dating, and archaeological interpretation; collect engineering data for eventual lifting and raising; conservation data and interpretation so as to enable the determination of the actual condition of the ship and its associated artifacts; and also provide information on the degree of success of a particular conservation treatment procedure.

Our current status presents a long awaited "Data Reduction Phase" whereby both acoustic and optical data acquired in 1990 using state-of-the-art technology needs to be reduced and studied. In preparation for the next phase "The Conservation Sample Recovery Programme."

The massive electronic database in Woods Hole is digitally-based at source. This information needs to be translated into imagery by special computers; sorted by increasing X and Y posits in relation to the HAMILTON and SCOURGE and merged with SHARPS (Sonic high frequency ranging and positioning systems) and Spot range.

The data is not yet in our possession and remains yet unedited. ESC times have NOT been checked with the precision necessary to do a proper final merge with the other time series data streams. Only after these anomalies are streamlined, can we begin to translate the data into imagery.

1993 November 30

Reduction of this data will enable us to create a computer grid for the site for use in the Conservation Sample Recovery Programme in the next phase, where test sample will be retrieved for study.

It will enable us to create a permanent record of spatial distribution and relationships of associated artifacts into the debris fields that (a) will be retrieved for sampling purposes or temporary surface examination, or (b) moved from one location to another and backfilled into sediment underwater for staged artifacts retrieval or to providing access to the ships.

It will be used to identify corridors of access to the two ships for obtaining superficial and core samples of architectural elements.

In addition to planning for the Conservation Sampling, it will also serve an archaeological function for interpreting:

- the dynamics of sinking
- natural and man-made post-sinking disturbances,
- ship architecture, and
- ship organization
- interpretation of the ships in the context of the historical period which produced them

The Data Base Management Plan is imperative for our future, the information provides the foundation to the future. It becomes the evaluating tool for all future developments visual records, acoustical surveys and integrity assessment. Most importantly it is component necessary to close and finalize the 1990 Licence requirements, which presently remains outstanding.

The collaboration between the levels of government, if to continue focuses on the establishment of a Data Base Management Plan. Each level of government has clearly indicated the priority for the establishment of the data base.

The Operational Review, the Core Team and Data Base Management Plan inaugurates new awareness initiatives for the Project which can result in much needed support and sustainability.

The Project would be on the leading edge in technology, the first in Canada to possess such recent technology. The provision for such technology enables the Project to conduct research and analyze raw digital data into ~~photo-imagery~~ ^{photo-imagery}. The technical know how and the equipment provides a wealth of knowledge and expertise that would serve as a valuable tool for both the project and training and development opportunities in the fields of archaeology, engineering and conservation.

We would be positioned to publish papers both nationally and internationally, enhance and broaden our speaking opportunities on a international scale, attract a larger focus in public, fundraising and field support. We would have the capacity to assist in the educational training in the fields of conservation, engineering and archaeology.

Section # 4

RECOMMENDATIONS

Proposed herein is the provision for the HAMILTON and SCOURGE Project to obtain a Data Base Management System.

- (a) That the Project execute an agreement with Phil Wright for the position of Contractual Archaeologist. Phil has a long history with the project and the expertise necessary in our operational review and will contribute to our goals of sustainability and a future for the project. The position for an archaeologists is critical for three reasons:

1. satisfying 1990 license requirements
2. for the preparation of the next phase - Conservation Sample Recovery Dive, 1995.
3. for building a successful program around the two vessels.

The number of days of service and tasks to be conducted are to be discussed and will be set out in letter of engagement. Preliminary discussions with Phil indicate a requirement of 2 to 7 days a month, with work station commitments that are compatible, upgraded to handle processed data and apart of the communications network.

Current funds are available in the Hamilton Scourge operating account for Consultant Services -Interpretive.

- (b) That the project be provided with the ability to access and retrieve imagery data collected by the Woods Hole Oceanographic Institution (WHOI) for the JASON Foundation for Education. In particular this imagery data consists of, but in not limited to, the following:

- o Processed Electronic Still Camera Images
- o Processed 35 mm Film Images

- Images Mosaics
- Selected Real-Time Video Images

1993 November 30

Included within this specification is an image archive/data management system. This system will allow the exact description of single-frame images to be stored and accessed through a variety of different means. The image archive software and database information will be resident upon a personal computer, and will allow the user to sort images by data fields. Each data field will constitute a set image descriptor parameter as defined by WHOI and the Project. Some example data fields would be: Time, X/Y Position, Data type, and Object Imaged. This data base will also be thesaurus-driven in the sense that the software will allow for different users or terms to be used and still relate to the same image. Storage and access to other HAMILTON-SCOURGE data sets from previous years' expeditions will also be attempted.

- (c) Labour estimates for this project are on a best-case, assuming that the project will provide someone in residence at Woods Hole for assistance in the image transfer and operations, and to take part in system training.
- (d) That the Project Conservator and Contractual Archaeologist take the necessary action to attend Woods Hole to begin the work and training sessions.
- (e) That the capital dollars (\$74,000.) currently allocated for the development of a Conservation Laboratory be re-appropriated to purchase the raw data and equipment necessary for the Data Base Management System.
- (f) That the Conservation Treatment Laboratory development be put on hold until all raw data is analyzed and Project is positioned for the next phase, "Conservation Sample Recovery Programme".

Present status of Lab and what we are in receipt of is:

- complete Design Plans and cost estimates for an upgraded conservation lab
- common equipment required for a standard conservation lab design in relation to mechanical, electrical and structural reference, ie. Freeze Dryer, combination frig/freezer, air abrasive unit.

With the analysis of raw data and test samples still outstanding, and if we are successful in the establishment of the data base management system, we are still approximately 16 months from the Conservation Sample Recovery Programme, and 3 1/2 years away for a conservation treatment lab which will be required during the Sample Retrieval Phase currently estimated to be in 1997/98.

In the meantime, funding alternatives can be explored as the data base management plan is implemented.

- (g) That the contract of Project Conservator's be a one-year contract. The Project Conservator's key role will be to administer the Data Base Management Plan with the support and assistance from the Contractual Archaeologist. This work will take approximately one year to complete.

This approach will provide the HAMILTON and SCOURGE Project with the best means to analyze and store their data while offering a new approach to revisit and integrate past data sets.

If all is approved, the core team is in place and work commences immediately we will be positioned for an early 1995 Conservation Sample Recovery Dive.

Section # 5

CONCLUSIONS

This report has been prepared in consultation and calibration with the Ministry. It provides the defined approach for the short and long term planning of the Project. It is clearly a recommended and long overdue approach towards a "desirable" and "sustainable" future for the Project.

If recommendations are approved, this will be the cornerstone for the Project both in terms of direction, partnership and support.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTY-SECOND** Report for 1993 and respectfully recommends:

1. (a) That the City repeal Lotteries Licence By-law 92-006 and enact a new by-law to license lotteries, reflecting the recent Provincial changes to the City's powers, including:
 - (i) A new Provincial Order-in-Council, new Terms and Conditions and an official policy manual for the issuance of lottery licences; and,
 - (ii) The added power to license Media Bingos; and,
 - (iii) Increased prize levels for other municipal licences; and,
 - (iv) Increased authority over licensing and investigations; and,
 - (v) Increases in licence fees for break open tickets to 3% of prizes; and,
 - (vi) Increases in lottery fees for bazaars to 3% of prizes and \$10. per wheel of fortune; and,
- (b) That the City Solicitor be authorized to prepare the necessary by-law.
2. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 26753/91 by the payment to the Plaintiff, Patricia Cameron, of the sum of \$3,000., inclusive of all damages, interest and costs; and,
- (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
- (c) That Ontario Court (General Division) Action No. 26753/91 and any and all crossclaims be dismissed without costs.

3. That the City of Hamilton offer to settle Ontario Court (General Division) Action No. 22799/90 on the following terms:
 - (a) That the City pay to the Plaintiffs \$3,000., inclusive of all damages, interest and costs; and,
 - (b) That the Plaintiffs be required to execute a Full and Final Release of the City of Hamilton in a form satisfactory to the City Solicitor; and,
 - (c) That the Plaintiffs' action and all crossclaims be dismissed without costs.
4. That Mr. Mark Mascarenhas's contract as General Manager, Municipal Non-Profit (Hamilton) Housing Corporation for the City of Hamilton be renewed for a five-year period commencing 1993 November 12, under the terms and conditions as set out in the employment contract.
5.
 - (a) That approval be given to the request of the Culture and Recreation Department to use the City Hall Forecourt and related equipment on Friday, 1993 December 31 from 4:00 p.m. to 1:30 a.m. for New Year Celebrations; and,
 - (b) That access be provided to the City Hall Washrooms during this event; and,
 - (c) That the City Clerk be authorized to approve of a similar event in future years provided it does not conflict with any other activity.
6.
 - (a) That approval be given to the request of the Advertising & Sales Club to use the second floor lobby from 1993 November 23 to December 2 for the Advertising & Sales Club Ace Awards Display; and,
 - (b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.
7. That approval be given to the request of the Hamilton-Wentworth Council on Police, Race and Community Relations to use a City Hall meeting room on the third Monday of each month from 7:30 p.m. to 9:30 p.m. for the purpose of their monthly Council meetings.

8. (a) That approval be given to the action taken by the City Clerk in authorizing the Hamilton Tiger Cat Football Club to use:
 - (i) The City Hall forecourt for a Tiger Cat Rally and the first floor for officials and team members on Saturday, 1993 November 13 from 1:00 - 2:00 p.m.; and,
 - (ii) The City Hall forecourt for a Rally and the second floor for a reception on Thursday, 1993 November 18 from 6:15 p.m.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
9. That approval be given to cancel the regularly scheduled meeting of City Council on 1994 January 11th.
10. (a) That Section 16 of the Eighteenth Report of the Finance and Administration Committee as adopted by City Council on 1993 September 28, be amended by increasing the area leased from 750 square feet to 1,508 square feet with the final area to be confirmed by the Survey Department; and,
- (b) That the rental rates be adjusted accordingly based on a rate of \$5. per square foot (Gross); and,
- (c) That the City Solicitor be authorized to amend the Lease Agreement.
11. That the City Treasurer be directed to close the following capital project account with the excess funding to be transferred to its original source of financing.

CAPITAL CENTRE #	PROJECT DESCRIPTION	AUTHORIZED GROSS COST	EXPENDED/ COMMITTED TO DATE	BALANCE AVAILABLE	SOURCE OF FINANCING
488851001	Pump Truck for Upper Wellington Fire Station	\$ 300,000.00	\$ 230,151.27	\$ 69,848.73	Reserve for Capital Projects

12. That the listing of Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1993 November 16, attached herewith and marked Appendix "A", be approved.
13. (a) That a grant in the amount of \$2,000. be approved for the Hamilton Hurricanes Football Club Inc. to offset its costs associated with participation in the National Junior Football Championships being held in Regina, Saskatchewan on 1993 November 13th; and,

(b) That this grant be financed from within the 1993 Grant Budget, and any overdraft offset by any General 1993 surplus.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Morelli, Wilson, Agostino, Jackson, Anderson, D'Amico, Ross. -11.

NAYS: Aldermen Copps, Eisenberger. -2.

CARRIED.

14. (a) That a Terms of Reference be prepared for a comprehensive audit of the Information Systems Department; and,

(b) That the City and Region form a joint Steering Committee for the Study to approve the Terms of Reference, select and recommend a Consultant, and provide guidance and direction to the Study; and,

(c) That the Steering Committee be comprised of the Chair and Vice Chair of the Finance and Administration Committee and the CAO; and,

(d) That the Region be invited to add the Chair and Vice Chair of the Administration Services Committee and the Regional CAO (or alternates) to the Steering Committee; and,

(e) That the Manager of Purchasing be authorized to issue a Request for Proposals to Consulting firms for the comprehensive audit based on the Terms of Reference for the Study; and,

- (f) That the estimated cost of the comprehensive audit (\$150,000.) be shared equally between the City of Hamilton and the Region of Hamilton-Wentworth; and,
 - (g) That the City's share of \$75,000. be financed as an overdraft to the Comprehensive Audit Cost Centre to be financed from any 1993 General Surplus.
15. That the 1994 invoice for \$124,696. (plus GST) from Dunn and Bradstreet Software (formerly Management Science America) be authorized for payment from Account CH 5609X-26021 (User Software).

16. (a) That Microcomputer workstations be acquired in accordance with the following:

<u>Description</u>	<u>Supplier</u>	<u>Price</u>	<u>Comment</u>
NEC 486-SX Microcomputers	4 Office Automation Burlington	\$1,744.	lowest acceptable of 20 proposals

- (b) Funding to be provided from Account # CH56605-26032 (Workstation Leasing).
17. (a) That Greyvest Leasing of Toronto provide leasing services for microcomputer workstations and printers at the rate of \$28.34 /\$1,000./month for 36 months (the lowest of nine proposals received); and,
- (b) That the term of the lease agreement be to 1994 November 30th, with an option in favour of the City to extend for the balance of the lease term; and,
- (c) That decisions to lease or purchase be made in each case, in consultation with the Treasurer; and,
- (d) That the Mayor and the City Clerk be authorized to execute any amendments to the master lease agreement and that the agreement be in a form satisfactory to the City of Hamilton Solicitor (the City of Hamilton is the lessee); and,
- (e) That funding be provided from Account # CH56605-26032 (Workstation Leasing).

18. That the portion of Commonwealth Square which will include the Zucker sculpture donation be named "The Irving Zucker Sculpture Court on Commonwealth Square". The whole area currently known as Commonwealth Square will continue to bear this name. **REPLACED AND CARRIED.**
19. (a) That the existing Votamatic Election System be used until such time as City Council directs that a new system be acquired or the existing system becomes unreliable, and that the replacement of the election system be removed from the 1993 Capital Budget; and,
- (b) For the information of the members of City Council, the Finance and Administration Committee has established a Task Force to be comprised of three members of City Council to work with the City Clerk to review a need for more polling locations to be available and a need to revise the regulations to allow Deputy Returning Officers and Poll Clerks to provide more assistance to voters in the use of the Votamatic Election System. The Task Force will report back in two month's time.
20. That the following City of Hamilton resolution be forwarded to the Association of Municipalities of Ontario for its support:

WHEREAS Section 171 of the Highway Traffic Act prohibits the making or conveying of an offer of tow truck services within 200 metres of the scene of any accident, or of any vehicle involved in an accident on a King's Highway; and,

WHEREAS Section 171 of the Highway Traffic Act does not extend this same prohibition within municipal boundaries; and,

WHEREAS solicitation at the scenes of accidents is an ongoing problem for Police Authorities and the citizens who are involved in accidents; and,

WHEREAS as a result of this solicitation, Police Authorities may be hampered in their investigation of an automobile accident and accident victims are pressured into having their vehicle towed to a particular shop for repair.

THEREFORE BE IT RESOLVED that the Association of Municipalities of Ontario request the Minister of Transportation and Communication to amend the Highway Traffic Act to prohibit solicitation within 200 metres of an accident scene or vehicle involved in an accident within municipal boundaries.

21. (a) That vehicles for hire, providing transportation exclusively for preschool children be exempted from Schedules 4 and 4a of By-law 93-069 on the basis that these vehicles:
- (i) provide the transportation under contract; and,
 - (ii) operate in a manner distinct from a taxi.
- (b) That for the purposes of this recommendation, the following shall apply:
- (i) Preschool children means children under six years of age; and,
 - (ii) Taxi means vehicles with the following features:

Providing transportation on demand, where the location of boarding of the passenger and the destination is unknown in advance of the request of the passenger, where the passenger chooses the destination, where there is no set route, schedule or stops for boarding, and where any repeat or regular trips are made based on a passenger's need for transportation without a relation to the special features of the vehicle,

and "distinct from taxi" means lacking one or more of the features of a taxi; and,
 - (iii) Contract means a written agreement to provide regular transportation services, with a term of at least one month, with fees for service fixed in the agreement and not by the metering of time or mileage of actual trips, for the taking of passengers to or from a specific location, or to accommodate a special need in common to the passengers in addition to transportation and includes an agreement that is with a facility.
- (c) That the City Solicitor prepare the appropriate amending by-law.

22. (a) (i) That the City Chief Administrative Officer, the Regional Chief Administrative Officer and a neutral person agreed to by both CAO's be requested to bring back a report on amalgamating the Law Department and Legal Services, Clerks' Departments, and Treasury and Finance Departments, outlining costs, timing, legal implications as well as projected cost savings and efficiencies; and,
- (ii) That the necessary resources be made available to the City Chief Administrative Officer, the Regional Chief Administrative Officer and a neutral person agreed to by both CAO's to complete that task and that they report back to the Single Tier Administration Steering Committee before the end of 1994 January; and,

AMENDED AND CARRIED.

- (b) That the total cost of the amalgamation study in the approximate amount of \$15,000. be shared equally between the City of Hamilton and the Region of Hamilton-Wentworth; and,
- (c) That the City's share of the cost of the Study in the amount not to exceed \$7,500. be financed from the Reserve for Contingency Centre 00115.

Recorded vote on amendment to Section 22

YEAS: Mayor Morrow, Aldermen Kiss, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico. - 11

NAYS: Aldermen Cooke, Agro, McCulloch, Drury, Wilson, Ross. -6.

23. (a) That the authorized cost of various capital building projects as indicated in the schedule attached herewith and marked Appendix "B", be revised to reflect an overall net funding shortfall of \$431,190. to cover capitalization costs for the Architectural Division, and that this additional net cost be financed from the Reserve for Capital Projects (Account Centre No. CH 00203) in the amount of \$420,990. and the balance from the Reserve for Park Lands (Account Centre No. CH 00201) in the amount of \$10,200.; and,

- (b) That a provision be made within the proposed 1994 Property Department - Architectural Division Current Budget in the amount of \$151,380. to cover costs for non-authorized capital building projects, advisory services, services provided for other City initiatives and non-chargeable administration costs; and,
- (c) That the City Solicitor be authorized to revise the appropriate by-laws for projects previously authorized by the Ontario Municipal Board for debenture financing as identified in column (6) of the Schedule.
24. That funds be allocated from the Reserve for Replacement of Mobile Equipment, Centre No. CH 00101, for the replacement of vehicles in 1994, in the total estimated replacement cost of \$1,332,000., as follows:
- | | | |
|----------------|-----------------------|---------------------|
| Fleet Services | 9 vehicles | \$ 870,000. |
| Fleet Services | misc. other equipment | <u>462,000.</u> |
| | Total | <u>\$1,332,000.</u> |
25. (a) That the principles of Employment Equity, as presented in the proposed Employment Equity Act and its Draft Regulation, as contained in the Summary attached herewith and marked Appendix "C", be endorsed; and,
- (b) That the Commissioner of Human Resources be directed to develop and implement a strategy to ensure compliance with The Employment Equity Act and its Regulation.
26. For the information of the members of City Council, the Finance and Administration Committee has appointed Joan M. MacDonald and Jennifer Warren to serve on the Hamilton Status of Women Sub-Committee for a term to expire 1994 November 30th.
27. That as referred to in Section 6 of the Eighteenth Report for 1993 of the Planning and Development Committee, the noise studies with respect to the GO Transit service expansion, at a maximum cost of \$7,150. to be undertaken by the Chief Noise Control Officer, Public Works Department, be charged to Cost Centre 60050 "Noise Control" in the Budget of Public Works on an approved overdraft basis subject to

sufficient surplus remaining in the accounts of Public Works to absorb this expenditure in 1993.

28. That leave be granted to introduce the following Bills:

- (a) Bill H-62 Lottery License By-law.
- (b) Bill H-63 A By-law to amend By-law 93-069 respecting Vehicles for Hire.
- (c) Bill H-64 A By-law to amend Market By-law No. 92-310 respecting Hamilton Farmers' Market Stand Contract and Market Fees.
- (d) Bill H-65 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

29. (a) That Mr. J. Pavelka, Director of Public Works, be re-appointed Chief Administrative Officer for the period 1994 January 1 through 1995 June 30 within the salary range "A" and that the City Solicitor be authorized and directed to amend the necessary by-laws and that Mr. J. Pavelka be re-appointed as Director of Public Works, effective 1995 July 1; and,

(b) That Mr. D. Lobo, Manager of Streets and Sanitation, be re-appointed as Director of Public Works for the period 1994 January 1 through 1995 June 30 within the salary range "B" and that effective 1995 July 1 be re-appointed as Manager of Streets and Sanitation. **ADDED AND CARRIED.**

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

Susan K. Reeder
Secretary
1993 November 25

Appendix "A" referred
to in Section 12 of the
TWENTY-SECOND Report of the
Finance and Administration
Committee for 1993.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Pasquale Caruso	I	Forester III (D-12)	Public Works	Replacing Mr. D. Pichard - promoted, Sept. 20/93 New Position Council Approved Jan. 28/92	\$35,322.56	Oct. 18/93
Ms. Melissa Gould	I	Community Renewal Officer (26-B)	Public Works	Replacing Ms. H. Milosne - promoted, Sept. 27/93	\$41,140.84 to \$47,607.56	Oct. 4/93
Mr. William McKay	I	Street Sweeper/Flusher Operator (D-14)	Public Works	Replacing Mr. D. Jamieson - promoted, Oct. 4/93 Mr. A. Constantini - retired, Aug. 30/93	\$36,052.64	Sept. 26/93

1993 November 30

Prepared November 16/93

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Ms. Hazel Milsome	I	Co-ordinator Community Renewal (A-L)	Public Works	Replacing Ms. J. McNeilly - promoted, Sept. 17/93	\$43,484.48 to \$51,205.44	Sept. 27/93
Ms. Kathleen Smith	I	Lifeguard II (12-I)	Culture & Recreation	Replacing Ms. M. Reilly - promoted, Sept. 6/93 New Position - Council Approved May 26/92	\$31,722.08 to \$34,424.00	Oct. 18/93

Prepared November 16/93

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Ronald Allan	Firefighter I	Fire	Retired	28 yrs, 10 months	Oct. 31/93
Mr. Douglas Anderson	Firefighter I	Fire	Retired	29 yrs, 11 months	Oct. 31/93
Mr. Rick Andrews	Firefighter I	Fire	Retired	31 yrs, 10 months	Oct. 31/93
Mr. Ernie Blundell	District Chief	Fire	Retired	31 yrs, 7 months	Oct. 31/93
Mr. Ronald Bowman	Firefighter I	Fire	Retired	33 yrs, 10 months	Oct. 31/93
Mr. Charles Britton	Firefighter I	Fire	Retired	32 yrs, 2 months	Oct. 31/93
Mr. Carl Cameron	Lieutenant	Fire	Retired	32 yrs, 1 month	Oct. 31/93
Mr. John Cassidy	District Chief	Fire	Retired	34 yrs, 7 months	Oct. 31/93

Prepared November 16/93

Glossary of Terms

Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Allan Chalmers	Platoon Chief	Fire	Retired	30 years	Oct. 31/93
Mr. Joseph Cheeseman	Firefighter I	Fire	Retired	31 yrs, 5 months	Oct. 31/93
Mr. Robert Cober	District Chief	Fire	Retired	32 years	Oct. 31/93
Mr. Dougald Dalgetty	Lieutenant	Fire	Retired	32 years	Oct. 31/93
Mr. John Davidson	Firefighter I	Fire	Retired	34 yrs, 6 months	Oct. 31/93
Mr. Stanley Dickinson	District Chief	Fire	Retired	31 yrs, 5 months	Oct. 31/93
Mr. Robert Divinaki	Captain	Fire	Retired	34 yrs, 5 months	Oct. 31/93
Mr. Gerald Dolman	Firefighter I	Fire	Retired	29 yrs, 9 months	Oct. 31/93

Prepared November 16/93

Glossary of Terms

Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. William Dowhan	Firefighter I	Fire	Retired	31 yrs, 6 months	Oct. 31/93
Mr. Frank Frantista	Firefighter I	Fire	Retired	31 yrs, 2 months	Oct. 31/93
Mr. Derek Guiney	Lieutenant	Fire	Retired	31 yrs, 7 months	Oct. 31/93
Mr. Barry Hunt	Fire Inspector I	Fire	Retired	31 yrs, 6 months	Oct. 31/93
Mr. David Johnstone	Firefighter I	Fire	Retired	32 yrs, 2 months	Oct. 31/93
Mr. Douglas Johnstone	Captain	Fire	Retired	33 yrs, 10 months	Oct. 31/93
Mr. Roy Knowles	Firefighter I	Fire	Retired	31 yrs, 7 months	Oct. 31/93
Ms. Lian Lawrence	Solicitor	Law	Resigned	7 years, 6 months	March 31/93

Prepared November 16/93

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. John Levely	Firefighter I	Fire	Retired	31 yrs, 11 months	Oct. 31/93
Mr. James McCallum	Platoon Chief	Fire	Retired	34 yrs, 3 months	Oct. 31/93
Ms. Robin McGinlay	Client Serv. Executive	H.E.C.F.I.	Resigned	17 yrs, 4 months	Nov. 05/93
Ms. Jacqueline McNeilly	Co-ord Community Renewal Public Works		Resigned	8 years, 10 months	Sept. 24/93
Mr. Steve Molnar	Lieutenant	Fire	Retired	35 yrs, 10 months	Oct. 31/93
Mr. Stephen Morelli	Captain	Fire	Retired	31 yrs, 6 months	Oct. 31/93
Mr. Robert Mueller	Firefighter I	Fire	Retired	31 yrs, 7 months	Oct. 31/93
Mr. Donald Peters	Fire Prevention Chief	Fire	Retired	29 yrs, 11 months	Oct. 31/93

Prepared November 16/93

Glossary of Terms

Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Clarence Rathowski	Firefighter I	Fire	Retired	29 yrs, 11 months	Oct. 31/93
Mr. Joseph Ricotone	Division Chief Trainer	Fire	Retired	35 yrs, 10 months	Oct. 31/93
Mr. Alan Roberts	Firefighter I	Fire	Retired	31 yrs, 6 months	Oct. 31/93
Mr. John Rumbles	Firefighter I	Fire	Retired	34 yrs, 11 months	Oct. 31/93
Mr. Walter Shrubell	Firefighter I	Fire	Retired	29 yrs, 11 months	Oct. 31/93
Mr. John Simmons	Lieutenant	Fire	Retired	33 yrs, 10 months	Oct. 31/93
Mr. John Sterne	Firefighter I	Fire	Retired	32 yrs, 10 months	Oct. 31/93
Ms. Wendy Taylor	Administrative Assistant	Clerk's	Resigned	22 years	Oct. 19/93

Prepared November 16/93

Glossary of Terms

Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Henry Trach	Firefighter I	Fire	Retired	34 yrs, 5 months	Oct. 31/93
Mr. Robert Troke	Firefighter I	Fire	Retired	28 yrs, 11 months	Oct. 31/93
Mr. Ken White	Firefighter I	Fire	Retired	29 yrs, 11 months	Oct. 31/93
Mr. Raymond Wright	Firefighter I	Fire	Retired	31 yrs, 6 months	Oct. 31/93

Prepared November 16/93

Glossary of Terms

Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons

Appendix "B" referred
to in Section 23 of the
TWENTY-SECOND Report of the
Finance and Administration
Committee for 1993.

CAPITAL CENTRE NUMBER (1)	PROJECT DESCRIPTION (2)	AUTHORIZED COST FROM (3)	TO (4)	INCREASE/ (DECREASE) (5)	SOURCE OF FINANCING (6)
758841001	Traffic Operations Centre	6,180,000	6,109,970	(70,030)	DEB
709041012	West Mountain Twin Pad Arena	9,545,000	9,874,260	329,260	DEB
488941001	Fire Station No. 2/Stonechurch Rd. & Upper Wellington	1,400,000	1,412,810	12,810	DEB
489241009	Fire Station No. 4/Upper Sherman & Fennell	3,245,000	3,125,260	(119,740)	CAP LEVY
709041013	Sackville Hill Seniors' Recreation Centre	3,694,000	3,766,520	72,520	DEB
709241002	Chedoke Pool/New Changerooms	270,000	175,000	(95,000)	RCP
319141005	Treasury Department/Renovations	400,000	421,840	21,840	RCP
709141006	Hamilton Tennis Club Field House	486,000	604,280	118,280	RCP
629054019	Staff Facilities Building/Gage Park	460,000	464,130	4,130	DEB
629054018	Track & Field House/Mohawk Sports Park	440,000	442,630	2,630	DEB
709041011	Mountain Arena Twinning	2,046,590	2,058,220	11,630	RCP
329241002	Computer Relocation and Renovations-City Hall	567,000	628,590	61,590	RCP
719141002	Dundurn Castle Restoration	1,308,500	1,321,480	12,980	RCP
719141007	Whitehern Restoration	676,510	694,460	17,950	RCP
718941001	Steam Museum Pumphouse Restoration	111,590	143,220	31,630	GRANTS
629154004	Montgomery Park Field House	160,000	161,200	1,200	RPL
419154007	Pier Four Park Buildings	400,000	409,000	9,000	RPL
709341015	Wading Pool and Landscaping/Huntington Park	100,000	101,370	1,370	RCP
419355013	Harbourfront Development Study	300,000	307,140	7,140	RCP
TOTALS		<u>31,790,190</u>	<u>32,221,380</u>	<u>431,190</u>	

Regulatory Requirements Under The Employment Equity Act

The Regulation sets out a three-step process which must be undertaken in order to comply with The Act. It also outlines specific requirements regarding retaining and reporting information, filing certificates with the Employment Equity Commission and employee participation.

1. The Workforce Survey

Every Employer will be required to conduct a workforce survey to determine the composition of its workforce, specifically, how many members of designated groups are in the workforce at a particular time.

Prior to conducting this survey, the Employer is required to provide employees with information about the principles of employment equity so that employees have a clearer understanding of why the survey is being conducted and why policies and practices are being reviewed.

Every employee of the Employer at the time the survey is originally conducted must receive a survey. Every employee who subsequently wishes to identify him or herself as belonging or no longer belonging to a designated group or every person who subsequently becomes an employee of the Employer must be given a survey form to complete.

The workforce survey must state that:

- a) completion of the survey is voluntary, however, whether or not an employee chooses to answer the questions, the survey must be returned;
- b) information collected from the survey shall be kept confidential and not be disclosed or used except for the purpose of complying with the legislation;
- c) the Employer must be able to identify each person who returns a survey;
- d) Employers will provide assistance to any employee who needs help in filling out the survey.

When the survey is complete, the Employer must determine how many members of each designated group work in each occupation group. Every Employer will be required to conduct a new survey after nine (9) years.

2. Review of Employment Policies and Practices

Every Employer shall identify and review their employment policies and practices, both formal and informal, with respect to:

- a) hiring of employees;
- b) promotion of employees;
- c) training of employees and the evaluation of their performance;
- d) termination of employees;
- e) determination of salaries and benefits;
- f) accommodation of special needs of members of the designated groups, i.e. physical access to the workplace, flexible working hours.

Every Employer shall determine which policies or practices reviewed contains a barrier to the hiring, retention or promotion of members of the designated groups.

A policy or practice will be considered a barrier if it has a direct or indirect negative impact on members of designated groups.

3. The Employment Equity Plan

Once the barriers to employment have been identified, Employers and employees must decide how to eliminate these barriers and how to make the workplace more representative of the community. The plan shall be in effect for three years from the date in which the Employer was required to prepare it.

Each Employer's employment equity plan must:

- a) list each barrier that the Employer has identified as a result of the review;
- b) identify those barriers that will be eliminated before the end of the plan and set out a process and timetable for their elimination;
- c) identify qualitative (non-numerical) measures that the Employer has developed and implemented;
- d) identify qualitative measures that the Employer has not yet implemented and outline a process and timetable for implementation;
- e) set out goals and timetables for the development and implementation of qualitative measures that have been identified but not yet developed.
- f) set out numerical goals for each of the designated groups in each occupational group in the Employer's workforce;

g) set out the process by which the Employer intends to monitor the development and implementation of the goals and timetables set out in the plan and identify who will be responsible for carrying out the monitoring.

4. Retaining and Reporting Information

The Draft Regulation specifies how information is kept and reported. Every Employer must prepare a report on or before the day that is six months after the beginning of the term of the first plan.

This report must contain the following information:

- a) the number of employees in each occupation group and the number of designated group members among those employees at the beginning of the term of the plan;
- b) the number of permanent full-time, permanent part-time, term and seasonal employees and the number of designated group members among those employees at the beginning of the term of the plan;
- c) the total number of employees who filled out and returned a workforce survey before the beginning of the term of the plan;

Employers with 500+ employees must also provide information about the number of designated group members in four salary range groups for each occupational group.

5. Filing Certificates with the Employment Equity Commission

The Certificate which must be filed by the Employer with the Commission shall be signed by the Chief Executive Officer of the Employer on or before the day that is six months after the beginning of the term of the plan.

The first certificate shall include a statement that:

- a) the Employer has provided the information and carried out the consultations required by the Regulation;
- b) the Employer has conducted the workforce survey, completed the review of the employment practices and policies and prepared an employment equity plan;
- c) outlines the number of employees in the Employer's workforce and the number of members of each of the designated groups among those employees at the beginning of the term of the plan;

d) the Employer has prepared the report required under the Regulation respecting the first plan; and

e) identifies where the Commission may obtain a copy of the report.

6. Employee Participation

When the Employer's employees are represented by more than one bargaining agent, a coordinating committee shall be established. This committee shall be established at least twelve months before the date by which the Employer is required to prepare the employment equity plan.

This committee shall be composed of one representative of each of the bargaining agents and a number of representatives of the Employer not to exceed the total number of the representatives from the bargaining agents.

The Employer and the bargaining agents shall each select their representative who will be responsible for carrying out the responsibilities of the committee.

The committee shall determine such factors as which responsibilities will be carried out by the committee; by the Employer and individual bargaining agents; or by any other means determined by the coordinating committee.

Any employee selected by the bargaining agent to sit on this committee is entitled to whatever time is required from his or her place of work that the Employer and the bargaining agent agree is necessary to attend meetings, prepare for meetings or to carry out any duties that arise from any of those meetings.

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **FIFTH** Report for 1993 and respectfully recommends:

1. Approval of the following Citizen Appointments:

	<u>Term of Office to</u> <u>Expire</u>
A. Hamilton Entertainment and Convention Facilities Inc.	
(i) Mary Dow	1996 December 31
(ii) Marvin Ryder	1996 December 31
(iii) Fred Deys	1996 December 31
B. Hamilton Civic Hospitals Board of Directors	
(i) Katherine Short	1997 December 31
(ii) Stanley J. Seneco	1997 December 31
Hamilton Civic Hospitals Foundation Nominees	
(i) Renate Davidson	1997 December 31
(ii) John Spears	1997 December 31
C. Keep Hamilton Clean Committee	
(i) Jennifer Marie Dent	1996 November 30

1993 November 30

Term of Office to
Expire

D. Property Standards Committee

(i) Michaelene Galan

1996 November 30

RESPECTFULLY SUBMITTED,

**MAYOR R.M. MORROW
CHAIRMAN
NOMINATING COMMITTEE**

**J. J. Schatz
Secretary
1993 November 30**

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **ELEVENTH** Report for 1993 and respectfully recommends:

1. a) That the following criteria for user fees be adopted;
 - i) User fees must be in agreement with the stated objectives of the City of Hamilton Strategic Plan as approved by City Council.
 - ii) User fees should apply only to services accessed by an identifiable segment of the community and not be excessive so as to prevent reasonable access to the services.
 - iii) User fees should fairly reflect the cost of providing the service and identify levels of subsidy by tax levy.
 - iv) User fees are appropriate for services which expedite pending action and for services provided by the City as a result of downloading or a requirement of another level of government.
 - v) User fees are appropriate in order to regulate or control an activity.
 - vi) User fees shall be reviewed on an annual basis.
- b) That the 1994 Consolidated User Fees for the City of Hamilton Departments as outlined on the attached Schedule No. 1 marked as Appendix "A" be approved;
- c) That the City Solicitor be authorized to prepare the necessary amending By-Laws to reflect the changes;
- d) That the C.A.O. be authorized to prepare a "Request For Proposal For A Consultant To Review User Fee Policies and Practices of the City".

2. That the current policy of crediting interest earned on work-in-progress accounts to the Reserve for Capital Projects be amended by diverting interest income to the City's general fund as of August 1, 1993 for all Work-in-progress accounts excluding all Local Boards and municipal enterprises, such as, Hamilton Entertainment and Convention Facilities Inc., Hamilton Public Library, Hamilton Parking Authority, etc.
3. That leave be granted to introduce the following Bills:
 - (a) Bill I-05 A By-law Respecting Planning Tariff of Fees.
 - (b) Bill I-06 A By-law to Amend Municipal Tax Levy By-law 71-69 Respecting: Fee For Treasurer's Tax Certificate.
 - (c) Bill I-07 A By-law to Amend Cemeteries By-law 8861 Respecting: Revised Tariff of Charges.

RESPECTFULLY SUBMITTED,

**MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE**

**J. J. Schatz,
Secretary
1993 November 30**

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993
1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE	
	1993 (2)	1994 (3)
BUILDING DEPARTMENT		
ADMINISTRATION		
Administration Fees		
– Basic Demolition Fee	220.00	220.00
– Demolition Fee (non – serviced accessory)	100.00	100.00
Photocopies		
– First page	1.00	1.00
– Each additional page	0.25	0.25
ENGINEERING, ZONING, COUNTER SERVICES		
Combined Certification of Zoning Verification / Property Report	80.00	80.00
– 48 hour service	120.00	120.00
Property Plan (microfiche)		
– making copies of drawings on file		
– for Single Family	10.00	10.00
– for others	40.00	40.00
Monthly Report		
– per month	3.50	3.50
– annually	35.00	35.00
Certificate of Compliance		
– Single family dwelling	220.00	220.00
– 2, 3 or multiple dwelling (plus \$30 for each add'l. dwelling)	220.00	220.00
– Lodging house, 2nd level lodging house or nursing home (plus \$20 per each permitted resident)	220.00	220.00
– All other buildings (plus \$10 per 1,000 sq. ft.in excess of the first 1,000 sq. ft.)	220.00	220.00
Lot Grading – ensures compliance that grading is per regulation		
– administration fee per lot	125.00	125.00

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE	
	1993 (2)	1994 (3)
BUILDING DEPARTMENT		
ENGINEERING, ZONING, COUNTER SERVICES		
Building Code Act Fines		
– maximum fine per individual	50,000.00	50,000.00
– maximum fine per corporation	100,000.00	100,000.00
Basic Permit Fee:		
Construction up to \$10,000	150.00	150.00
Additional Permit Fee:		
\$10,000 – \$20 million	9.00 /\$1,000	9.00 /\$1,000
\$20 million – \$50 million	9.00 /\$1,000	9.00 /\$1,000
Over \$50 million	9.00 /\$1,000	9.00 /\$1,000
Building Permit fee for construction started prior to the issuance of a building permit:		
	<u>Increase in permit fee</u>	<u>Increase in permit fee</u>
– work completed prior to permit issuance		
(a) footings and foundations	10%	10%
(b) structural framing	25%	25%
(c) mechanical/electrical	50%	50%
(d) architectural	75%	75%
(e) final	100%	100%
(f) demolition or partial demolition	100%	100%
Committee of Adjustment Fee		
– variances or permission – ancillary to 1 and 2 family unit uses	250.00	250.00
– variances or permission (all other)	350.00	400.00

**Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993**

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

**DESCRIPTION OF SERVICE, LICENCE OR
PUBLICATION**

(1)

USER FEE OR CHARGE

1993

1994

(2)

(3)

PUBLIC WORKS – CEMETERIES DIVISION

BURIALS AND REMOVALS

Opening and Closing

	Resident & Realty Taxpayers	Non- Residents	Resident & Realty Taxpayers	Non- Residents
– 6 ft. Adult	453.00	524.00	462.00	562.00
– 8 ft. Adult	610.00	678.00	622.00	720.00
– 6 ft. Child – case up to 24"	274.00	402.00	75.00	90.00
– case 25" to 42"	274.00	402.00	150.00	180.00
– case 43" to 60"	311.00	441.00	220.00	264.00
– case 61" to 72"	345.00	498.00	285.00	342.00
– 8 ft. Child – case up to 60"	345.00	498.00	255.00	306.00
– case 61" to 72"	383.00	551.00	305.00	366.00
– Cremation	147.00	210.00	150.00	180.00
– Cremorial	–	–	55.00	66.00
– Columbarium	96.00	115.00	98.00	118.00
– Mansion of Memories (Stoney Creek)	373.00	438.00	380.00	456.00

Lowering (Includes Opening, Removal, Lowering, Closing)

– Adult – 6 ft. to 8 ft. – shell	1,749.00		1,784.00	
– Adult – 6 ft. to 8 ft. – concrete vault/crypt	1,456.00		1,485.00	
– Child – 6 ft. to 8 ft. – 5 to 10 years	621.00		633.00	
– Child – 6 ft. to 8 ft. – under 5 years	521.00		531.00	

Removals

– Adult – Shell	1,592.00		1,624.00	
– Adult – Concrete vault or crypt	1,299.00		1,325.00	
– Child – Shell	550.00		561.00	
– Child – Concrete vault or crypt	450.00		459.00	
– Cremation	147.00		150.00	

FOUNDATIONS AND MARKERS

– Foundation – pouring per square inch of surface area (6 feet deep)	0.94	1.41	0.94	1.41
– 12" X 10" & Child's 18" X 14"	114.00	177.00	75.00	90.00
– all other Flat Markers	114.00	177.00	114.00	177.00
– Bronze Vase	114.00	177.00	114.00	177.00
– D.V.A. Upright	96.00	96.00	96.00	96.00
– D.V.A. Flat	96.00	96.00	96.00	96.00

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE			
	1993 (2)		1994 (3)	
PUBLIC WORKS – CEMETERIES DIVISION				
	Resident & Realty Taxpayers	Non- Residents	Resident & Realty Taxpayers	Non- Residents
<u>SALE OF LOTS AND GRAVES INCLUDING PERPETUAL CARE</u>				
– Adult Single Grave	446.00	551.00	455.00	562.00
– Preferred Single Grave	746.00	922.00	761.00	940.00
– Child – single in a row – case up to 24"	–	–	50.00	60.00
– Child Single Grave – case up to 60"	107.00	189.00	109.00	142.00
– case 61" to 72"	158.00	207.00	161.00	193.00
– Urn Garden	248.00	302.00	253.00	308.00
– Veteran's Grave	424.00		432.00	
– Two-Grave Lot	1,711.00	2,133.00	1,745.00	2,176.00
– Two-Grave Lot – Eastlawn	1,396.00	1,744.00	1,424.00	1,779.00
– Three-Grave Lot – Woodland	2,555.00	3,196.00	2,606.00	3,260.00
– Four-Grave Lot– Woodland Section 15	6,187.00	7,729.00	6,311.00	7,884.00
– Eastlawn / Woodland	3,349.00	4,259.00	3,416.00	4,344.00
– Four-Grave Lot – Trinity	3,147.00	3,994.00	3,210.00	4,074.00
– Mansion of Memories – Mausoleum crypt	1,192.00	1,310.00	1,216.00	1,336.00
– Cremorial	–	–	800.00	960.00
– Columbarium	919.00	1,103.00	950.00	1,140.00
– 40% of Grave and Lot sales goes into Care & Maintenance				
– 20% of Mausoleum Crypt sales goes into Care & Maintenance				
– 15% of Columbarium and Cremorial sales goes into Care & Maintenance				
<u>ADDITIONAL SERVICES</u>				
– Crypts – Child	272.00		272.00	
– Youth	285.00		285.00	
– Standard	297.00		297.00	
– Intermediate	305.00		305.00	
– Oversize	324.00		324.00	

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993
1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE	
	1993 (2)	1994 (3)

PUBLIC WORKS – CEMETERIES DIVISION

ADDITIONAL SERVICES

– Misc. – Tent in Cemetery	135.00	138.00
– Rental of tent outside cemetery	184.00	188.00
– Transfer fee \$40 + G.S.T.	40.00	40.00
– Bronze Memorial Plaque for Columbarium Niche	275.00	281.00
– Companion Vase on Columbarium Niche	54.00	55.00
– Bronze Memorial Plaque for Cremorial	0.00	125.00
– Supply, install and maintain flower bed to maximum three graves – per grave	N/A	100.00
– Memorial Tree Planting, 12X10 stone, 6X8 Bronze Plaque 3 Lines	0.00	350.00
– Memorial Bench – 8X5 Bronze plaque – 3 lines	0.00	500.00
– Flower Pot Hanger	0.00	15.00
– Family Tree Research – \$2.00 per name		

Note : 40 % of all lot and grave sales goes into Care & Maintenance Fund

CARE AND MAINTENANCE FUND

– markers and upright monuments:		
– any flat marker under 173 sq. in.	N/C	N/C
– any flat marker over 173 sq. in.	50.00	50.00
– any upright monument <= 4 ft. in length/height	100.00	100.00
– any upright monument over > 4 ft. in length/height	200.00	200.00

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE	
	1993 (2)	1994 (3)
CLERKS DEPARTMENT		
LICENCE SECTION		
Adult Entertainment Parlour		
– Owner	4,000.00	4,000.00
– Operator	1,340.00	1,340.00
– Attendant – Dancer	200.00	200.00
Amusement – Places of		
– Amusement Machines – each machine	50.00	50.00
– Maximum	2,670.00	2,670.00
– Amusement Rides – per day	50.00	50.00
– Carnival – per duration of event (\$90/day for charities)	500.00	500.00
– Circus – per day (outside) Maximum \$500	100.00	100.00
– per day (within a building)	20.00	20.00
– Arena	270.00	270.00
– Billiards – 1st table	70.00	70.00
– each add'l. table	20.00	20.00
– Bingo Parlour – under 300 persons	70.00	70.00
– 300–599 persons	140.00	140.00
– 600–999 persons	200.00	200.00
– 1000 or more persons	270.00	270.00
– Bowling Alley		
– 1st 2 beds	60.00	60.00
– each add'l. bed	10.00	10.00
– Public Hall		
– under 300 persons	70.00	70.00
– 300–599 persons	140.00	140.00
– 600–999 persons	200.00	200.00
– 1000 or more persons	270.00	270.00

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE	
	1993 (2)	1994 (3)
CLERKS DEPARTMENT		
LICENCE SECTION		
– Roller Skating Rink	270.00	270.00
– Theatre	270.00	270.00
Animal Tags – spayed/neutered	17.00	17.00
– Seniors/disabled rate	4.25	4.25
– not spayed/neutered	35.00	35.00
– Seniors/disabled rate	8.75	8.75
Bakeshop	10.00	10.00
Bazaar	10.00	3% of Prize
– Per Game or Wheel – Monte Carlo	3.00	10.00
Approval on November 30 – Finance & Administration 22nd Report, Item 1		
Bill Distributor	50.00	50.00
Bill Poster	670.00	670.00
Body Rub Parlour – Owner	6,670.00	6,670.00
– Operator	270.00	270.00
– Attendant	270.00	270.00
Break Open Tickets	12.00 /box	3% of Prize
Approval on November 30 – Finance & Administration 22nd Report, Item 1		
Building Exterior Cleaners – Sandblasters	130.00	130.00
Butcher	50.00	50.00
Cab Broker – 1st issue of licence	400.00	400.00
– each yearly renewal	270.00	270.00
Cab Driver	50.00	50.00
– photo every 3 years	10.00	10.00
– replacement photo	10.00	10.00
Cab Owner (private) – new plate	3,480.00	3,480.00
– each yearly renewal	210.00	210.00
– transfer of plate	670.00	670.00

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE	
	1993 (2)	1994 (3)
CLERKS DEPARTMENT		
LICENCE SECTION		
Cab Owner (public)		
– new plate	610.00	610.00
– each yearly renewal	340.00	340.00
– transfer of plate	670.00	670.00
Leasing Agreement		
– one car	60.00	60.00
– second car	210.00	210.00
Priority List—Initial application & renewal entitlement – each	60.00	60.00
– Late Filing Fee – Priority List – Taxicabs	–	40.00
Cartage Vehicle		
– Dump – 1st issue of licence	290.00	290.00
– Others – 1st issue of licence	70.00	70.00
– add'l. vehicles	70.00	70.00
– each yearly renewal	70.00	70.00
Eating Establishments		
– Lunch Counter	20.00	20.00
– Refreshment Stand	20.00	20.00
– Restaurant	20.00	20.00
– Drive-in Restaurant	20.00	20.00
Flea Market—Owner		
– 1–20 stands	420.00	420.00
Foodshop	10.00	10.00
Fresh Fish	50.00	50.00
Garage – A (Buying, Selling, Storing)	80.00	80.00
– B1 (Combined Engine & Bodywork)	50.00	50.00
– B2 (Engine Work)	50.00	50.00
– B2 (Bodywork)	50.00	50.00
– C	10.00	10.00
– D (Parking Lot)	50.00	50.00
– E (Car Wash)	10.00	10.00
Every Vehicle		
– Class A	210.00	210.00

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE	
	1993 (2)	1994 (3)
CLERKS DEPARTMENT		
LICENCE SECTION		
Livery Vehicle Driver	50.00	50.00
– photo every 3 years	10.00	10.00
Lodging House	150.00	150.00
Second Level Lodging House – 1 to 10 persons	140.00	140.00
– 11 persons or more	280.00	280.00
Lotteries (Bingo & Raffles)	2% of Prize	3% of Prize
Marriage Licences	53.00	53.00
Old Gold Dealer	25.00	25.00
Pawnbroker (\$2000.00 Surety Bond Required)	210.00	210.00
Pedlar – Foot	50.00	50.00
– Vehicles	170.00	170.00
Refreshment Vehicle – Motor Vehicle	110.00	110.00
– Pedal Vehicle	110.00	110.00
Salvage Yard	20.00	20.00
Second Hand	20.00	20.00
Steam Bath	270.00	270.00
Tow Truck	110.00	110.00
Tow Truck Driver	50.00	50.00
– photo	10.00	10.00
Transient Trader – every 3 months per location	500.00	500.00
Wheelchair Accessible Integrated Taxicab Owner	5.00	5.00
– each yearly renewal	5.00	5.00
Tobacco Shops	25.00	25.00

Note: Automatic rounding to next \$10.00 on Licences therefore the increases may exceed 5%.
Minimum licence fee of \$50.00 unless there is a Provincial limit in force.

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE	
	1993 (2)	1994 (3)
CLERKS DEPARTMENT		
ADMINISTRATION		
Photocopies – First page	1.00	1.00
– Each additional page	0.25	0.25
Subscription Service	Actual Cost	Actual Cost
Use of City Hall by Outside Groups	Free	Free
Assessment Searches	50.00	50.00
Signing of Affidavits	10.00	10.00
Letters re: Licence Verification	20.00	20.00
Fireworks Permits	20.00	20.00
Tag Day Permits	20.00	20.00
LLBO Municipal Clearance	50.00	50.00
Car Dealer Certificate	20.00	20.00
Cab Driver Exam Fee	Free	Free
Smoking Control Signs	4.00	4.00
Birth Registration Letters	–	20.00

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993
1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE	
	1993 (2)	1994 (3)

CLERKS DEPARTMENT

HAMILTON FARMER'S MARKET

Amount of Producers and Dealers Fees

<u>Stand Number</u>	<u>Location</u>			
1 to 8	(Refrigeration Units)	- per month	275.00	384.00
12 to 18	(Refrigeration Units)	- per month	275.00	384.00
22	(Refrigeration Units)	- per month	275.00	384.00
9,10,11	(Refrigeration Units)	- per month	230.00	321.00
19,20,21	(Refrigeration Units)	- per month	230.00	321.00
23 to 46	Ramp	- per day	26.00	26.00
		- per month	160.00	223.00
47 to 62a	North Wall - Main Floor	- per day	26.00	26.00
		- per month	160.00	223.00
63 to 70	West Wall - Main Floor	- per day	26.00	26.00
		- per month	160.00	223.00
71 to 95	South Wall - Main Floor	- per day	26.00	26.00
	& In Ramp	- per month	160.00	223.00
96 to 100	Loading Docks	- per day	26.00	26.00
		- per month	160.00	223.00
101 to 111	East Wall - Main Floor	- per day	26.00	26.00
		- per month	160.00	223.00
112 to 143	Stands in Middle	- per day	26.00	26.00
	(North Side)	- per month	160.00	223.00
144 to 175	Stands in Middle	- per day	26.00	26.00
	(South Side)	- per month	160.00	223.00
30a,36a,37a,46a		- per day	12.00	12.00
		- per month	89.00	124.00
70a,72a		- per day	12.00	12.00
		- per month	67.00	94.00
92		- per day	26.00	26.00
		- per month	225.00	314.00
176	Coffee Shop Stand	- per month	320.00	446.00

Dealer's Fees Payable in Addition to Fees Payable Above
to 76 - annual

91.00 91.00

Producer's and Dealer's Fees for Adjacent Stands

Fee for one stand when available, immediately adjacent to a stand
for which an annual fee is paid in advance - per day

7.00 7.00

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE	
	1993 (2)	1994 (3)
FIRE DEPARTMENT		
Fire Inspection Fees		
– Copies of Fire Response Reports	17.00	18.00
– Written confirmation as to whether or not there are any outstanding orders against property	27.00	28.00
– Inspection of a property in relation to a proposed purchase or for licence purposes other than municipal licences:		
(a) private home day–care facilities	33.00	34.00
(b) 1 and 2 family dwellings	33.00	34.00
(c) other occupancies greater than 4 stories above grade, including L.L.B.O. licence requests	65.00	67.00
(d) other occupancies greater than 4 stories and specialized occupancies ie: malls and industrial complexes will be charged at a rate commensurate with area and/or inspection time involved	102.00 to 510.00	105.00 to 521.00
Fire Training Complex		
– Based on prior year's costs	– FOR 1 DAY	330.00 /day
(plus staff time)	– IF FOR 2 DAYS	400.00 /day
	– IF FOR 3 OR MORE DAYS	375.00 /day
		350.00 /day
Fire Services – MTO		
– \$300/first hour/apparatus		
– \$120 each additional half hour or part thereof		
– \$300 flat rate fee where services not required nor provided		

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993
1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

*DESCRIPTION OF SERVICE, LICENCE OR
PUBLICATION*

(1)

USER FEE OR CHARGE

1993

1994

(2)

(3)

LOCAL ROADS – REGION

TRUCK OVERLOAD FEES

– Tractor trailer	135.00	138.00
– Single unit truck	225.00	230.00

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE	
	1993 (2)	1994 (3)
PUBLIC WORKS – PARKS DIVISION		
<u>GAGE PARK GREENHOUSE – WEDDING CHARGE</u>		
– Flat fee (7:00 A.M. – 3:00 P.M.)	50.00	50.00
– After 3:00 P.M. – per hour	50.00	50.00
	+ O.T. \$47.25/hr.	+ O.T. \$47.25/hr.

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993
1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE	
	1993 (2)	1994 (3)
PLANNING – BY REGION		
Rezoning Application – Complex – Phase 1	1,100.00	1,120.00
– Phase 2	600.00	610.00
– Routine	850.00	865.00
Official Plan Amendment – Phase 1	1,100.00	1,120.00
– Phase 2	600.00	610.00
Site Plan Control	1,000.00	1,020.00
Approved Site Plan Amendment	400.00	410.00
Subdivisions – simple application	550.00	560.00
– complex application	1,000.00	1,020.00
Condominiums	550.00	560.00
Revisions to plans of subdivision and condominiums	350.00	355.00
Draft plan of subdivision extensions	175.00	180.00
Exempt part lot control	300.00	305.00
** Street name change	1,500.00	3,700.00
Property Report – file searches requested for lawyers with respect to O.P. compliance, Historical Designations, zoning status, etc.	40.00	40.00
Public Notice Recirculation Fee	250.00	255.00
** Rental Housing Protection Act – Phase 1	550.00	1000.00
	Plus \$20 per unit to maximum 40 units	

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993
1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE	
	1993 (2)	1994 (3)
PLANNING – BY REGION		
Neighbourhood Plan Preparation and Modified Neighbourhood Plan reviews		1120.00
Condominium Conversions – Phase 1	–	1000.00
	Plus \$20 per unit to maximum 40 units	
Condominium Conversions – Phase 2	–	250.00
Rental Housing Protection Act – Phase 2	–	250.00

** Revised fees

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993
1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE	
	1993 (2)	1994 (3)
PROPERTY DEPARTMENT		
ADMINISTRATION		
Cost of labour / materials:		
- \$1.00 to \$200.00		49.00
- \$201.00 to \$500.00		68.00
- \$501.00 to \$700.00		86.00
- over \$700.00		105.00
RENTALS		
Regional Departments – (3 yr. lease Dec.1/91 – Nov.30/94 *)		
City Hall :		
Planning Dep't. (7th Floor)	88,245.30	88,245.30
Engineering Dep't. (7th Floor)	40,869.40	40,869.40
" (6th Floor)	129,114.70	129,114.70
" (5th Floor)	41,941.90	41,941.90
" (Basement Vault)	4,400.00	4,400.00
Information Systems	96,144.00	96,144.00
Total City Hall	400,715.30	400,715.30
Kenilworth Ave. N. Composite Building :		
Police Department	0.00	0.00
Health Department	5,305.30	0.00
	5,305.30	0.00
Upper Wentworth Composite Building :		
Health Department	9,093.33	0.00
Health Building :		
Social Services Department (1st Floor)	63,664.28	63,664.28
Social Services Dep't. (2nd/3rd Floors)	142,349.90	142,349.90
	206,014.18	206,014.18
Total Annual Rental	621,128.11	606,729.48

* assumes no increase in rental amounts following expiration of the current 3 yr. lease

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE	
	1993 (2)	1994 (3)
PROPERTY DEPARTMENT		
RENTALS		
Civic Properties – monthly		
– 563 Aberdeen	275.00	284.00
– 240 Burlington St.E. (Municipal Storage)	0.00	0.00
– 52/56 Charlton W. (Big Sisters Assc.)	1300.00	1300.00
– 499 Charlton E.	485.00	501.00
– 107 Graham N.	610.00	630.00
– 109 Graham N.	608.00	627.00
– 113 Graham N.	446.00	460.00
– 48 Holly	446.00	460.00
– 50 Holly	419.00	432.00
– 375 James S. (Boy Scouts Assc.)	1.00	1.00
– 485 John N. (North–end Res. Org.)	0.00	0.00
– 401–403 King W. (Ham. Wesley House)	550.00	550.00
– 2656 King St. E.	552.00	575.00
– 2787 King St. E. (Lower)	284.00	284.00
– 2787 King St. E. (Upper)	559.00	0.00
– 130 Lawrence	262.00	270.00
– 1150 Leaside	412.00	425.00
– 112 Province St. N.	419.00	432.00
– 306 Rymal E.	279.00	0.00
– 662 Rymal E.	597.00	616.00
– 1086 West 5th	279.00	0.00
– Red Hill School	500.00	500.00
	9283.00	8347.00
Football Hall of Fame – monthly		
Press Club – (weighted average amount)	768.30	802.00
Edith Union	6666.67	6667.00
City Hall Cafeteria – monthly	1000.00	1000.00
	+ 10% gross sales	+ 10% gross sales

**Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993**

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

*DESCRIPTION OF SERVICE, LICENCE OR
PUBLICATION*

USER FEE OR CHARGE

1993

1994

(1)

(2)

(3)

RECREATION DEPARTMENT

SENIOR CITIZENS CENTRES

Central YWCA	— Memberships	12.00	15.00
Main/Hess Complex	— Memberships	12.00	15.00
Ottawa St. YWCA	— Memberships	12.00	15.00
Sackville Hill	— Memberships	12.00	15.00

Non—resident Fees Add 50%

Sackville Hill — Meeting Rooms

— Commercial	— per hour — Single	0.00	45.00
	— per hour — Double	0.00	70.00
— Non—Profit	— per hour — Single	0.00	30.00
General Public	— per hour — Double	0.00	50.00
— Non—Profit	— per hour — Single	0.00	20.00
Sr. Membership	— per hour — Double	0.00	35.00
— Non—Profit	— per hour — Single	0.00	25.00
Com. Organization	— per hour — Double	0.00	40.00
— Multi—Purpose Room			
— Commercial — All Business	— per hour	0.00	100.00 Min. 3 Hrs.
— Non—Profit — General Public	— per hour	0.00	75.00 Min. 3 Hrs.
— Non—Profit — Sr. Membership	— per hour	0.00	75.00 Min. 2 Hrs.
— Non—Profit — Community Org.	— per hour	0.00	85.00 Min. 3 Hrs.
— Card Shows — Commercial/General Pub.	— per table	0.00	20.00 Min. 25 Tables
— Card Shows — per table	— Sr. Membership	0.00	15.00
— Tables @ Sackville Hill Bazaars	— per table	0.00	15.00
— Additional Charges — (On Request), (\$50.00 Security Deposit Required)			
	— TV/VCR	0.00	10.00
	— Audio System	0.00	10.00
	— Overhead Projector	0.00	10.00
	— Bingo Machine	0.00	10.00
	— All Sports Equipment	0.00	5.00

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR
PUBLICATION
(1)

USER FEE OR CHARGE

1993

1994

(2)

(3)

RECREATION DEPARTMENT

CHEDOKE GOLF CLUB & PRO SHOP

– Golf Memberships

PLAN A

– Adult	595.00
– Adult Non-Resident	695.00
– Couples	1,100.00
– Couples Non-Resident	1,200.00
– Family	1,225.00
– Family Non-Resident	1,325.00
– Juniors	235.00
– Juniors Non-Resident	335.00
– Intermediate	380.00
– Intermediate Non-Resident	480.00
– Pensioners	380.00
– Pensioners Non-Resident	570.00

To be addressed under
separate report.

– Golf Memberships

PLAN B

– fee as indicated plus 1/2 of applicable green fee rate

– Adult	200.00
– Adult Non-Resident	300.00
– Couples	370.00
– Couples Non-Resident	470.00
– Family	405.00
– Family Non-Resident	505.00
– Juniors	75.00
– Juniors Non-Resident	275.00
– Intermediate	125.00
– Intermediate Non-Resident	225.00
– Pensioners	125.00
– Pensioners Non-Resident	225.00

To be addressed under
separate report.

CHEDOKE GOLF CLUB & PRO SHOP

– Green Fees

– Martin – 18	19.00
– Martin – Pensioners / Junior	12.00
– Martin – Twilight	10.00
– Beddoe – 18	23.00
– Beddoe – Pensioners	16.00
– Beddoe – Twilight	14.00

To be addressed under
separate report.

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE	
	1993 (2)	1994 (3)

RECREATION DEPARTMENT

– Concession Fee	24,310.00	
– Between J.A. Enterprises and City of Hamilton (contract expires February 28, 1994)		
– Locker Fee – for members only	20.00	

CHEDOKE WINTER SPORTS PARK

– Tow Fee		
– Adults (18 & over)		
– Full Day	13.00	15.00
– Half Day	11.00	12.00
– Youth (under 18 yrs.), Special Needs and Seniors		
– Full Day	12.00	12.00
– Half Day	10.00	10.00
– Ski Lift Packages (10 tickets)		
– Adult	90.00	100.00
– Youth	80.00	90.00

CHEDOKE WINTER SPORTS PARK

– Chedoke Ski School		
– Adults/Youth	24.00	24.00
– Child	18.00	18.00
– Chedoke Racing School (all participants)	45.00	45.00
– Hamilton Association for Disabled Skiers (flat fee)	1000.00	1000.00

KING'S FOREST GOLF CLUB & PRO SHOP

– Golf Memberships	PLAN A	
– Adult	700.00	
– Adult Non-Resident	800.00	
– Couples	1,260.00	
– Couples Non-Resident	1,360.00	
– Family	1,400.00	
– Family Non-Resident	1,500.00	
– Juniors	305.00	

To be addressed under
separate report.

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR
PUBLICATION

USER FEE OR CHARGE

1993

1994

(1)

(2)

(3)

RECREATION DEPARTMENT

KING'S FOREST GOLF CLUB & PRO SHOP

– Golf Memberships

– Juniors Non–Resident	405.00
– Intermediate	400.00
– Intermediate Non–Resident	500.00
– Pensioners	400.00
– Pensioners Non–Resident	500.00

To be addressed under
separate report.

– Green Fees

– 18 hole	25.00
– 9 hole	16.00
– Pensioners	18.00
– Twilight	16.00

To be addressed under
separate report.

– Concession Fee	25,520.00
– Locker Fee – for members only	20.00

KING'S FOREST GOLF CLUB & PRO SHOP

PLAN B

– Golf Memberships

– Adult	235.00
– Adult Non–Resident	335.00
– Couples	420.00
– Couples Non–Resident	520.00
– Family	470.00
– Family Non–Resident	570.00
– Juniors	78.00
– Juniors Non–Resident	178.00
– Intermediate	135.00
– Intermediate Non–Resident	235.00
– Pensioners	135.00
– Pensioners Non–Resident	235.00

To be addressed under
separate report.

GLOBE PARK DIAMONDS

– Rental Fee

– Weekday per hour	9.00	9.45
– Weekend per hour	10.50	11.00
– Holidays per hour	11.75	12.35

**Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993**

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

**DESCRIPTION OF SERVICE, LICENCE OR
PUBLICATION**

USER FEE OR CHARGE

1993

1994

(1)

(2)

(3)

RECREATION DEPARTMENT

GLOBE PARK DIAMONDS

– Tournament (Flat Fee)		
– Daily until 6:00 PM	260.00	273.00
– Daily until dusk	325.00	341.25
– Lighting Charges		
– Flat Fee Per Diamond, Per Date		25.00

SPORTS FIELDS

– Outside Fields

– Youth Groups	1.12	2.00
	(per diamond,per date)	(per diamond,per date)
	(max. per diamond \$50.00)	(max./ diamond \$70.00)
		(per season)
– Adult Groups	5.62	10.00
	(per diamond,per date)	(per diamond,per date)
	(max. per diamond \$350.00)	(max./ diamond \$420.00)
		(per season)

MAJOR PARK FACILITIES

(Bernie Arbour, Brian Timmis, Mohawk Sports Complex, H.A.A.A., Victoria Park)

– Semi-Pro			Day		Lights		Day		Lights	
– Game	– weekday (or 15%)		32.40		37.70		34.00		39.60	
	– weekend (or 15%)		44.20		51.90		46.40		54.50	
– Practice	– weekday		20.70		23.50		21.75		24.70	
	– weekend		23.50		24.21		24.70		27.20	
– Amateur Adult										
– Game	– weekday (or 15%)		15.50		20.70		16.30		21.75	
	– weekend (or 15%)		20.70		30.00		21.75		31.50	
– Practice	– weekday		10.50		19.50		11.00		20.50	
	– weekend		15.45		19.50		16.20		20.50	
– Minor / Youth										
– Game	– weekday (or 15%)		14.20		18.20		14.90		19.10	
	– weekend (or 15%)		15.50		20.70		16.30		21.75	
– Practice	– weekday		6.50		11.70		6.80		12.30	
	– weekend		11.70		15.20		12.30		15.95	
– Boards of Education – Public & Separate										
– Game			19.50				20.50			
– Practice			7.70				8.10			
– Track & Field										
– Daily Rate			220.00				231.00			
– School Rates			33.00				34.65			

Tournament Application Deposit Will Be 10% Of The Total Rental Cost (Non-Refundable)

**Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993**

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

**DESCRIPTION OF SERVICE, LICENCE OR
PUBLICATION**

(1)

USER FEE OR CHARGE

1993

1994

(2)

(3)

RECREATION DEPARTMENT

MAJOR PARK FACILITIES

Special Events Permit Fee

- Category 1 : festivals two days or more	100.00 per day	125.00 per day
- Category 2 : Community Events of one day	20.00 per day	25.00 per day
- Category 3 : Sports Events in both multi or single sport programs	according to rental policy	according to rental policy

Rental – Park & Pavilion

- Dundurn Park – Pavilion	- weekdays	30.00	31.50
	- weekends	35.00	36.75
- open space – permitted		10.00	15.00
- Bandshell rental – Gage Park	- weekdays	45.00	47.25
	- weekends	50.00	52.50
- Tennis Court Rentals		3.15 first hr.	5.00 first hr.
		2.15 ea. add. hr.	4.00 ea. add. hr.

IVOR WYNNE STADIUM

Rental – Stadium – Soccer / Football

		Day	Lights	Day	Lights
- Semi-Pro (Games)	- Weekdays	92.10 or 15%	148.00 or 15%	96.70 or 15%	155.40 or 15%
	- Weekends	92.10 or 15%	148.00 or 15%	96.70 or 15%	155.40 or 15%
	- Holidays	97.30 or 15%	162.20 or 15%	102.15 or 15%	170.30 or 15%
- Semi-Pro(Practices)	- Weekdays	18.20	+ light chrgs	19.10	+ light chrgs
	- Weekends	20.70	+ light chrgs	21.75	+ light chrgs
	- Holidays	23.50	+ light chrgs	24.70	+ light chrgs
- Amateur Adult (Games)	- Weekdays	54.40 or 15%	109.00 or 15%	57.10 or 15%	114.45 or 15%
	- Weekends	57.20 or 15%	114.30 or 15%	60.05 or 15%	120.00 or 15%
	- Holidays	60.90 or 15%	119.30 or 15%	63.35 or 15%	125.25 or 15%
- Amateur Adult (Practices)	- Weekdays	13.00	+ lighting chrgs	13.65	+ light chrgs
	- Weekends	19.50	+ lighting chrgs	20.45	+ light chrgs
	- Holidays	23.50	+ lighting chrgs	24.65	+ light chrgs
- Minor (Games)	- Weekdays	45.40 or 15%	90.80 or 15%	47.65 or 15%	95.35 or 15%
	- Weekends	47.90 or 15%	90.80 or 15%	50.30 or 15%	95.35 or 15%
	- Holidays	49.70 or 15%	101.30 or 15%	52.20 or 15%	106.35 or 15%
- Minor (Practices)	- Weekdays	12.20	+ light chrgs	12.80	+ light chrgs
	- Weekends	15.50	+ light chrgs	16.25	+ light chrgs
	- Holidays	18.30	+ light chrgs	19.20	+ light chrgs

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE	
	1993 (2)	1994 (3)
RECREATION DEPARTMENT		
IVOR WYNNE STADIUM		
– Boards of Education (Public & Separate)		
– Regular Season Games	62.40	65.50
– Playoff Games	64.60	67.85
– Exhibition Games	25.90	+ light chrgs
		27.20
Lighting Charges		
– Semi Pro		
– Full Lights (8 banks)	224.60	235.85
– 1/2 Lights (4 banks)	114.30	120.00
– 1/4 Lights (2 banks)	51.90	54.50
– Amateur Adult		
– Full Lights (8 banks)	190.60	200.15
– 1/2 Lights (4 banks)	97.30	102.15
– 1/4 Lights (2 banks)	51.90	54.50
– Bd. of Education		
– Full Lights (8 banks)	166.20	174.50
– 1/2 Lights (4 banks)	72.60	76.20
– 1/4 Lights (2 banks)	44.20	46.40
Note: All above fees are hourly charges – towards cost recovery.		
Rental – Stadium – Special Events		
– Community Organizations		
– No gate tickets	896.50	941.30
– With ticket sales	780.00 Minimum o	819.00 Minimum or
	15%	15%
Rental – Stadium – Special Events		
– Non – Profit Organizations	2,699.70	2,834.70
(all proceeds – Charitable causes)		
Profit – Commercial Organizations	Negotiable	
Green Room – Reception Area	34.65	36.40

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE	
	1993 (2)	1994 (3)
RECREATION DEPARTMENT		
COMMUNITY RECREATION CENTRES		
– Universal Memberships		
– Family	70.00	70.00
– Single Parent Family	55.00	55.00
– Adult	50.00	55.00
– Youth (17 and under)	10.00	15.00
– Seniors & Disabled	12.00	15.00
– Replacement	3.00	3.00
– Instructional (Special Interest Programs)	10.00	10.00
Non-Residential Rate – premium of 50% per current policy.		
– Admission Fees		
– Family	4.40	5.00
– Single Parent Family	4.00	4.40
– Adult (18 and up)	3.00	3.00
– Youth (13 to 17 Years)	2.00	2.00
– Seniors & Disabled	2.00	2.00
– Rental Rates		
– Community Rooms		
– Youth Groups – per hour	15.00	15.00 (2 hrs./\$25.)
– Adult Groups – per hour	20.00	20.00 (2 hrs./\$30.)
– Card Shows – per hour	40.00	Negotiable
(per table)	10.00	Negotiable
– Daytime Self-Contained Programs	0.00	15.00 (per 1/2 day)
– Commerical Groups – per hour	0.00	40.00
– Seasonal Rates (10 Week Duration)		
– Youth Groups	0.00	125.00
– Adult Groups	0.00	125.00
– Gymnasium		
– Card Shows – per hour	50.00	Negotiable
(per table)	10.00	Negotiable

**Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993**

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

*DESCRIPTION OF SERVICE, LICENCE OR
PUBLICATION*

(1)

USER FEE OR CHARGE

1993

1994

(2)

(3)

RECREATION DEPARTMENT

COMMUNITY RECREATION CENTRES

– CENTRAL MEMORIAL/HUNTINGTON PARK RECREATION CENTRES

– Youth Groups – per 4 hour period – Grandfathered Rate

– weekdays 7.86 10.00

– weekends/holidays 25.84 30.00

– Adult Groups – Grandfathered Rate

– weekdays 38.20 (per 4 hour: 15.00 (per hour)

– weekends/holidays 71.90 (per 4 hour: 20.00 (per hour)

– Youth Groups (All New Groups)

– weekdays 7.86 (per 4 hour: 10.00 (per hour)

– weekends/holidays 25.84 (per 4 hour: 15.00 (per hour)

– Adult Groups (All New Groups)

– weekdays 38.20 (per 4 hour: 20.00 (per hour)

– weekends/holidays 71.90 (per 4 hour: 25.00 (per hour)

– Pools (2 lifeguards) – per hour

75.00 75.00 (prime time)

0.00 50.00 (non-prime)

– additional lifeguard – per hour 15.00 15.00

– Hot Pool rental

– per hour – 1 lifeguard 20.00 25.00

– additional lifeguard – per hour 15.00 15.00

– Huntington Park Slide Rental

0.00 25.00

– per hour plus pool rental rate

COMMUNITY RECREATION CENTRES

– Rental Rates

– Private/Semi-Private Swimming Instruction

– Private – per person/per lesson – 20.00
maximum 4 lesson/session

– Semi-Private – per person/per lesson – 10.00
maximum 4 lesson/session

Aquatic fee (course) – per session (with membership) 10.00 15.00

Advanced Aquatic Fee – (Bronze & Bronze Cross) 10.00 25.00

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993
1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE	
	1993 (2)	1994 (3)

RECREATION DEPARTMENT

OUTDOOR POOLS – June 1 – Labour day

– Universal Memberships		
– Family	20.00	20.00
– Single–Parent Family	15.00	15.00
– Adult	10.00	10.00
– Youth	6.00	6.00
– Seniors & Disabled	6.00	6.00
– Replacement	1.00	1.00

Non–Residential Rate – premium of 50% per current policy.

– Admission Fees		
– Family	3.00	3.00
– Single Parent Family	2.00	2.00
– Adult (18 and up)	1.50	1.50
– Youth (13 to 17 Years)	1.00	1.00
– Seniors & Disabled	1.00	1.00

COMMUNITY ARENAS

– Universal Memberships		
– Family	35.00	35.00
– Single Parent Family	25.00	25.00
– Adult	20.00	20.00
– Youth (13–17 Years)	10.00	10.00
– Seniors & Disabled	12.00	15.00
– Replacement	3.00	3.00
– Instructional	10.00	

MOUNTAIN SKATING CENTRE

– Memberships		
– Family	0.00	45.00
– Single Parent Family	0.00	35.00
– Adult	0.00	30.00
– Youth (13–17 Years)	0.00	15.00
– Seniors & Disabled	0.00	15.00
– Replacement	0.00	3.00
– Admission Fee	0.00	1.00

For Universal Membership Card Holders

Non–Residential Rate – premium of 50% per current policy.

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

*DESCRIPTION OF SERVICE, LICENCE OR
PUBLICATION*

USER FEE OR CHARGE

1993

1994

(1)

(2)

(3)

RECREATION DEPARTMENT

COMMUNITY ARENAS

– Admission Fees

– Family	4.40	5.00
– Single Parent Family	4.00	4.40
– Adult (18 and up)	3.00	3.00
– Youth (13 to 17 Years)	2.00	2.00
– Seniors & Disabled	2.00	2.00

– Community Room Rentals

– Youth Groups – per hour	15.00	15.00 (2 hrs./\$25.)
– Adult Groups – per hour	20.00	20.00 (2 hrs./\$30.)
– Card Shows – per hour	40.00	Negotiable
(per table)	10.00	Negotiable
– Daytime Self-Contained Programs	0.00	15.00 (per 1/2 day)
– Commerical Groups – per hour	0.00	40.00

– Serving alcoholic beverages – per hour	40.00	40.00
– Selling alcoholic beverages – per hour	50.00	50.00

COMMUNITY ARENAS (October – April)

– Adult – per hour

– Non–prime time (6:00 AM – 6:00 PM)	80.00	85.00
– Prime time (6:00 PM – Midnight Weekdays) (8:00 AM – 11:00 PM Weekends)	120.00	130.00

– Youth – per hour

– Non–prime time (6:00 AM – 6:00 PM)	65.00	70.00
– Prime time (6:00 PM – Midnight Weekdays) (8:00 AM – 11:00 PM Weekends)	75.00	80.00

MUNICIPAL ARENAS (Summer Ice – May – October)

– Minor Hockey	75.00	85.00
----------------	-------	-------

– Adult – per hour

– Non–prime time	90.00	115.00
– Prime time	130.00	150.00

– Youth – per hour

– Non–prime time	85.00	100.00
– Prime time	85.00	100.00

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR
PUBLICATION

(1)

USER FEE OR CHARGE

1993

1994

(2)

(3)

RECREATION DEPARTMENT

MUNICIPAL ARENAS (Summer Ice – May – October)

– Summer Rink Surfaces		
– Adult Groups	35.00	45.00
– Youth Groups	20.00	30.00
– Sports groups with admission	95.00	100.00
– Community groups		
– no admission or revenue	35.00	35.00
– Adult Tournament		50.00
– Youth Tournament		35.00
– Events Selling Alcohol	50.00	60.00
– SPECIAL GROUPS		
– Minor Sports Recreational	30.00	35.00
– Minor Sports – Reps/Selects	45.00	50.00
– Minor Sports – Hub	0.00	43.00
– Minor Sports – Tournaments	65.00	70.00
– Revenue – Charitable	110.00	Adult Non–Prime Rate
– Revenue / Admission HIAC	220.00	Adult Non–Prime Rate
– Junior A, B and C games	320.00	350.00 or 15% of gate

**Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993**

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

<i>DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION</i>	<i>USER FEE OR CHARGE</i>	
	<i>1993</i>	<i>1994</i>
(1)	(2)	(3)

RECREATION DEPARTMENT

TWIN PAD ARENA – Year Round

– Adult – per hour		
– Non–prime time (6:00 AM – 5:00 PM)	0.00	130.00
– Prime time (5:00 PM – Midnight Weekdays) (8:00 AM – 11:00 PM Weekends)	0.00	160.00
– Youth – per hour		
– Non–prime time (6:00 AM – 5:00 PM)	0.00	100.00
– Prime time (5:00 PM – Midnight Weekdays) (8:00 AM – 11:00 PM Weekends)	0.00	100.00

BOARD OF EDUCATION – Community use of schools

Rental – Schools

– (A) Youth Groups (subsidized rate) – per 4 hour period – grandfathered (includes children,youth,Cubs,Scouts,Brownies,Guides)		
– weekdays	7.86	10.00
– weekends/holidays	25.84	30.00
– adult organizations (not subsidized)		
– weekdays/per 4 hour block	38.20	38.20
– Saturday per hour + 1 hour	23.59	23.59
– Sunday/holidays per hour + 1 hour	31.46	31.46
– community councils (subsidized rate) – per 4 hour period – grandfathered		
– weekdays	13.48	20.00
– weekends	25.84	35.00
– St. John's Ambulance (fully subsidized)	FREE	FREE
– (B) Youth Groups & Community Councils		
– weekdays/per 4 hour block	0.00	25.00
– Saturdays per hour + 1 hour	0.00	23.59
– Sundays/holidays per hour + 1 hour	0.00	31.46

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR
PUBLICATION

(1)

USER FEE OR CHARGE

1993

1994

(2)

(3)

RECREATION DEPARTMENT

COMMUNITY CENTRES

Barton Community Centre

– Private / Commercial	75.40	40.00 per hour
– Adult Groups	34.90	20.00 per hour
– Youth Groups	6.70	15.00 per hour

Normanhurst Community Centre

– Private / Commercial	34.90	40.00 per hour
– Adult Groups	34.90	20.00 per hour
– Youth Groups	6.80	15.00 per hour
– Seniors Groups	2.00	3.00
– Kiwanis Club	6.80	10.00

Eastmount Community Centre

– Private / Commercial		40.00 per hour
– Adult Groups	34.90	20.00 per hour
– Youth Groups		15.00 per hour

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE			
	1993		1994	
	(2)		(3)	
CULTURE DIVISION				
MUSEUMS	Pre-Booked Group Visitors	General Admission	Pre-Booked Group Visitors	General Admission
Admission Fee – Dundurn Castle				
– Adult	4.00	4.50	4.50	5.00
– Senior	2.50	2.75	3.20	3.50
– Student	2.50	2.75	3.20	3.50
– Child (6 to 14 Years)	1.50	1.75	1.80	2.00
– Family				15.00
Admission Fee – Hamilton Military Museum				
– Adult	1.55	1.75	1.55	1.75
– Senior	1.35	1.50	1.35	1.50
– Student	1.35	1.50	1.35	1.50
– Child (6 to 14 Years)	1.10	1.25	1.10	1.25
– Programme– Student (14 and under)	1.50	1.65	1.60	1.75
– Programme– Student (over 14)	1.70	1.90	1.70	1.90
Admission Fee – Whitehern				
– Adult	2.00	2.25	2.25	2.50
– Senior	1.55	1.75	1.80	2.00
– Student	1.55	1.75	1.80	2.00
– Child (6 to 13 Years)	1.10	1.25	1.35	1.50
– Programme – Child	1.35	1.50	1.60	1.75
Admission Fee – Children's Museum				
– Adult – with children		Free		Free
– Adult – without children		2.00	–	2.25
– Child (3– 13,also adults, seniors, students unaccompanied by a child)		2.00	–	2.25
– Child – in group (programme)		1.50	1.50	2.00
Admission Fee – Hamilton Museum of Steam & Technology				
– Adult	2.00	2.25	2.25	2.50
– Senior	1.55	1.75	1.80	2.00
– Student	1.55	1.75	1.80	2.00
– Child (6 to 14 Years)	1.35	1.50	1.35	1.75
– Programme			1.60	
– Membership Fees – The Pumphouse Association (non–profit organization)				
– regular membership	10.00		10.00	

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE	
	1993 (2)	1994 (3)
PUBLIC WORKS – STREETS AND SANITATION		
ADMINISTRATION		
Administration Fee – fee for work done for Region	cost plus 7%	cost plus 7%
Administration Fee – Lawyers	16.00	21.00
– administration/processing fee charged to legal firms to verify status of snow–clearing/weed–cutting charges		
ROADWAY TREE TRIMMING		
Tree Trimming & Removal		
– Tree trimming (Hamilton Hydro)	33.00	33.00
– Tree Removal (Hamilton Hydro)	127.00	127.00
– Tree trimming/removal for public	cost	cost
BANNER INSTALLATION	215.00	230.05
LITTER BY–LAW ENFORCEMENT		
Fines – City – maximum	2,000.00	2,000.00
Catchbasin Opening (lost item retrieval) (Note: No fee charged for Police/S.P.C.A.)		20.00

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993
1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE			
(1)	1993		1994	
	(2)		(3)	
TRAFFIC DEPARTMENT				
ADMINISTRATION				
Administration Fee – work done for Region	cost plus 7 %		cost plus 7%	
Traffic Counts – photocopies of counts provided to the public – per sheet	1.00		1.00	
Traffic Manuals –traffic control manuals issued by the M.T.O. (sold to contractors etc. by Traffic at cost)	10.00		10.00	
TRAFFIC BY–LAW ENFORCEMENT				
Fines – City	Early Payment	Set Fine	Early Payment	Set Fine
– Overtime Parking				
– exceeded paid limit	8.00	12.00	8.00	12.00
– exceeded hour limit	8.00	12.00	8.00	12.00
– Unauthorized Parking				
– Municipal property	20.00	30.00	20.00	30.00
– no valid permit	20.00	30.00	20.00	30.00
– private property	20.00	30.00	20.00	30.00
– improperly parked	20.00	30.00	20.00	30.00
– Parking Prohibited				
– signed area	20.00	30.00	20.00	30.00
– sidewalk	20.00	30.00	20.00	30.00
– boulevard	20.00	30.00	20.00	30.00
– through street	20.00	30.00	20.00	30.00
– heavy vehicle	20.00	30.00	20.00	30.00
– facing wrong way	20.00	30.00	20.00	30.00
– fire route	20.00	30.00	20.00	30.00
– loading zone	20.00	30.00	20.00	30.00
– more than 12" from curb	20.00	30.00	20.00	30.00
– Stopping Prohibited				
– signed area	50.00	75.00	50.00	75.00
– taxi area	50.00	75.00	50.00	75.00
– fire route	50.00	75.00	50.00	75.00
– bus stop	50.00	75.00	50.00	75.00
– commercial vehicle loading zone	50.00	75.00	50.00	75.00

Schedule "1" referred to in Section 1 of the ELEVENTH
Report of the Committee of the Whole for 1993

1993 November 30

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE	
	1993 (2)	1994 (3)
TRAFFIC DEPARTMENT		
<u>TRAFFIC BY—LAW ENFORCEMENT</u>	Early Payment	Early Payment
Fines — City	Set Fine	Set Fine
— Stopping Prohibited		
— within 20' of crosswalk	50.00	50.00
— obstructing driveway	50.00	50.00
— within 10' of hydrant	50.00	50.00
— Snow Route		
— declared snow emergency	35.00	35.00
— Handicapped Space		
— no permit displayed	100.00	100.00
<u>RESIDENTIAL BOULEVARD PARKING</u>		
Handling Fee (\$10 goes toward Rec.—Insurance Prem. below)	20.00	20.00
Application (approved) fee	30.00	30.00
Recovery—Insurance Premium (see below) — encroachment insuranc	10.00	10.00
<u>ON—STREET PARKING</u>		
Meter Fees — meter fees from various districts	0.50 — 1.00	0.50 — 1.00
On Street Parking Permit Fees		
— per permit (must live on street)	12.00	12.00
— time—limit permit (must live in area)	24.00	24.00
— where there are time—limit restrictions on a particular street		
<u>COMMERCIAL BOULEVARD PARKING</u>		
Annual Fees		
— per space or part of a space per year for each of the first two spaces	59.57	60.70
— per space or part of a space per year for each space over two and up to a total of ten spaces	29.79	30.36
Processing Fees—\$10 goes towards Rec.—Insurance Premium below (one—time)	178.73	182.12

URBAN/MUNICIPAL
CA4 ON HBL AOS
M21
1993

1993 December 7

Special Meeting of City Council
1993 December 7
4:20 o'clock p.m.
Room 233, City Hall

The Council met.

Present: Mayor R. M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps,
Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson,
D'Amico, Ross.

The purpose of this special meeting of City Council was to deal with a Report from the Committee of the Whole respecting the appointment of an Interim Director of the Culture and Recreation Department.

* * * * *

Mayor R. M. Morrow called the meeting to order.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Drury that Council move into Committee of the Whole to consider the Twelfth Report of the City Council Committee of the Whole with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - TWELFTH REPORT

Appointment of an Interim Director of Culture and Recreation

It was moved by Alderman Cooke and seconded by Alderman Drury that the Report of the City Council Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

ADOPTION OF BILLS

It was moved by Alderman Cooke and seconded by Alderman Drury that Bill I-08 be now read a first time.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Drury that Council move into Committee of the Whole to consider Bill I-08 with Mayor Morrow in the Chair. (second reading)

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

Consideration of Bill I-08 (second reading)

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on Bill I-08, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Drury that Bill I-08 be now read a third time, signed, sealed and enrolled as a by-law.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

1993 December 7

* * * * *

City Council then adjourned at 4:30 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow, Chairman
Committee of the Whole

J. J. Schatz
City Clerk
1993 December 7

1993 December 7

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **TWELFTH** Report for 1993 and respectfully recommends:

1. That Patrice Noé Johnson, City Solicitor, be appointed Interim Director of Culture and Recreation, in addition to her current duties, and such appointment is for an indeterminate period at the pleasure of Council.
2. That leave be granted to introduce the following Bill:

Bill I-08 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

**MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE**

**J. J. Schatz
Secretary
1993 December 7**

URBAN/MUNICIPAL
CA4 ON HBL AOS
M21
1993

1993 December 14

Minutes of Hamilton City Council
1993 December 14
7:30 o'clock p.m.
Council Chamber

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps,
Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson,
Ross, D'Amico.

Mayor R. M. Morrow called the meeting to order.

* * * * *

The Council meeting commenced with the playing of the National Anthem.

* * * * *

Mayor R. M. Morrow led Council in the Lords Prayer.

* * * * *

The following presentations were made:

A Certificate of Recognition was presented to Boris Brott in recognition of his many contributions to the cultural life of Hamilton.

A Certificate of Recognition was presented to Don Muir in recognition of his contribution to the community as a member of the New Crystal Palace Sub-Committee and the Mum Show Committee.

A Certificate of Recognition was presented to Andrew F. Mikalauskas, Vice-President and General Manager and John E. Parr, Manager of Manufacturing in recognition of the contribution of Dominion Castings Limited to the economy of Hamilton.

* * * * *

The minutes of the meeting held 1993 November 30 and the special meeting held 1993 December 7 were adopted as circulated.

CORRESPONDENCE

1. Application dated 1993 December 6 from Ashok Kumar, 81 Christie St., Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District, for lands located at the front of No. 1094 Upper Sherman Avenue, Hamilton, Ontario.

Received.

2. Application dated 1993 December 6 from 779597 Ontario Ltd., c/o Paul Silvestri, Hamilton, Ontario for changes in zoning from "AA" (Agricultural) District (Block "1") and "A" (Conservation, Open Space, Park and Recreation) District (Block "2") to "M-13" (Prestige Industrial) District, for lands located in the area west of the proposed extension of Anchor Road and north of Rymal Road East, Hamilton, Ontario.

Received.

3. Application dated 1993 December 8 from 800064 Ontario Inc., c/o A. DiSilvestro, Hamilton, Ontario for a change in zoning from "C" - "H" (Urban Protected Residential, etc. - Holding) District to "R-4" (Small Lot Single-Family Detached) District for lands located west of Garth Street between Gisele Drive and Rymal Road West, Hamilton, Ontario.

Received.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Finance and Administration Committee, the Nominating Committee, and the Committee of the Whole be now considered in Committee of the Whole with Alderman Anderson in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. - 15.

NAYS: -0.

CARRIED.

TRANSPORTATION AND ENVIRONMENT COMMITTEE - SIXTEENTH REPORT

Rule No. 8 Re: Parking Regulation on the south side of St. James Place.

It was moved by Alderman Merling and seconded by Alderman McCulloch that Rule No. 8 of the City's Procedural By-law No. 82-203 be temporarily suspended for this meeting of City Council in order to allow the introduction of an additional item to the Sixteenth Report of the Transport and Environment Committee respecting a parking regulation on the south side of St. James Place. **CARRIED.**

* * * * *

Section 23 Re: Future extension of Embassy Drive and Artistic Boulevard

Alderman Jackson declared personal interest in, took no part in the debate and refrained from voting on this matter. The developer is the landlord of the property where Alderman Jackson resides.

* * * * *

Section 41 Re: No Parking Regulation on St. James Place

It was moved by Alderman Merling and seconded by Alderman McCulloch that the Sixteenth Report of the Transport and Environment Committee be amended by adding the following resolution as Section 41:

- "41. (a) That a "No Parking" regulation be implemented on the south side of St. James Place commencing at James Street South and extending to a point 227 feet westerly therefrom; and
- (b) That the City Traffic By-law 89-72 be amended accordingly."

and further that the following be added as Sub-section (l) of Section 40:

"(l) Bill A-99: By-law to Amend Traffic By-law 89-72 to Regulate Traffic." **CARRIED.**

PARKS AND RECREATION COMMITTEE - TWENTIETH REPORT

Section 3 Re: West Mountain Twin Pad Arena

It was moved by Alderman Agostino and seconded by Alderman Merling that Section 3 including the proposed amendment of the Twentieth Report for 1993 of the Parks and Recreation Committee be referred to the next meeting of the Parks and Recreation Committee. **CARRIED.**

* * * * *

Rule No. 8 Re: The Greater Hamilton Sports Corporation

It was moved by Alderman Agostino and seconded by Alderman Ross that Rule No. 8 of the City's Procedural By-law No. 82-203 be temporarily suspended for this meeting of City Council in order to allow the introduction of an additional item to the Twentieth Report of the Parks and Recreation Committee respecting an appointment to The Greater Hamilton Sports Corporation. **CARRIED.**

* * * * *

Section 5 Re: The Greater Hamilton Sports Corporation

It was moved by Alderman Agostino and seconded by Alderman Ross that the Twentieth Report of the Parks and Recreation Committee be amended by adding the following resolution as Section 5:

- "5. That the Chairman of the Parks and Recreation Committee be appointed to sit on the Board of The Greater Hamilton Sports Corporation at the pleasure of City Council." **CARRIED.**

PLANNING AND DEVELOPMENT COMMITTEE - NINETEENTH REPORT

Section 1 Re: Zoning Application 93-31, Investland Corporation Limited - 8 Burford Rd.

It was moved by Alderman Drury and seconded by Alderman Copps that section 1 of the Nineteenth Report of the Planning and Development Committee be referred back.

Recorded vote.

YEAS: Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Eisenberger, Jackson. -8.

NAYS: Mayor Morrow, Aldermen Wilson, Agostino, Charters, Merling, Anderson, D'Amico, Ross. -8. **LOST.**

* * * * *

Recorded vote on Section 1:

YEAS: Mayor Morrow, Aldermen Drury, Morelli, Wilson, Agostino, Charters, Merling, Anderson, D'Amico, Ross. -10.

NAYS: Aldermen Cooke, Kiss, Agro, McCulloch, Copps, Eisenberger, Jackson. -7. **CARRIED.**

* * * * *

FINANCE & ADMINISTRATION COMMITTEE - TWENTY-THIRD REPORT

Section 7 Re: USARCO Properties

It was moved by Alderman Ross and seconded by Alderman D'Amico that Section 7 of the Twenty-Third Report for 1993 of the Finance and Administration Committee be amended by deleting the figure \$71,629.17 in Sub-section (a) and (c) and inserting in lieu thereof the figure \$79,991.22. **CARRIED.**

* * * * *

Section 9 Re: Carpeting - second floor/lobby staircase

It was moved by Alderman Ross and seconded by Alderman D'Amico that Section 9 of the Twenty-Third Report for 1993 of the Finance and Administration Committee respecting the replacement of the carpeting on the second floor/lobby staircase in City Hall be referred to the Director of Property with direction to retender. **CARRIED.**

* * * * *

NOMINATING COMMITTEE - SIXTH REPORT

COMMITTEE OF THE WHOLE - THIRTEENTH REPORT

ACTING MAYOR FOR THE MONTH OF JANUARY, 1994.

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman D. Ross be appointed Acting Mayor for the month of January 1994. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, and the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, Ross, D'Amico. - 15.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-88, A-89, A-90, A-91, A-92, A-93, A-94, A-95, A-96, A-97, A-98, A-99.
C-90, C-91, C-92, C-93, C-94, C-95.
H-66, H-67.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, Ross, D'Amico. - 15.

NAYS: -0.

CARRIED.

* * * * *

1993 December 14

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Anderson in the chair. (second reading).

A-88, A-89, A-90, A-91, A-92, A-93, A-94, A-95, A-96, A-97, A-98, A-99.
C-90, C-91, C-92, C-93, C-94, C-95.
H-66, H-67.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, Ross, D'Amico. - 15.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-88, A-89, A-90, A-91, A-92, A-93, A-94, A-95, A-96, A-97, A-98, A-99.
C-90, C-91, C-92, C-93, C-94, C-95.
H-66, H-67.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, Ross, D'Amico. -15.

NAYS: -0.

CARRIED.

* * * * *

1993 December 14

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-88, A-89, A-90, A-91, A-92, A-93, A-94, A-95, A-96, A-97, A-98, A-99.
C-90, C-91, C-92, C-93, C-94, C-95.
H-66, H-67.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, Ross, D'Amico. -15.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:15 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz, City Clerk
1993 December 14

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **SIXTEENTH** Report for 1993 and respectfully recommends:

1.
 - (a) That the existing "Permit Parking" regulation on the west side of East 18th Street between Concession Street and Mountville Avenue be shortened such that the regulation commences at a point 81 feet south of Concession Street and extends to Mountville Avenue; and
 - (b) That a "No Stopping" regulation be implemented on the west side of East 18th Street commencing at Concession Street and extending to a point 41 feet southerly therefrom; and
 - (c) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the west side of East 18th Street commencing at a point 41 feet south of Concession Street and extending to a point 40 feet southerly therefrom; and
 - (d) That the maximum number of parking permits to be issued by the Director of Traffic Services to residents who abut the "Permit Parking" regulation be reduced from 16 to 13; and
 - (e) That the City Traffic By-law 89-72 be amended accordingly.
2.
 - (a) That southbound traffic on Fairington Crescent be required to stop for eastbound and westbound traffic on Delawana Drive; and
 - (b) That southbound traffic on Ellingwood Avenue be required to stop for eastbound and westbound traffic on Kentley Drive; and
 - (c) That the City Traffic By-law 89-72 be amended accordingly.

3. (a) That the existing "Permit Parking" regulation on the south side of Holmes Avenue which commences at a point 115 feet west of Emerson Street and extends to a point 29 feet westerly therefrom be relocated such that the regulation commences at a point 156 feet west of Emerson Street and extends to a point 24 feet westerly therefrom; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
4. (a) That eastbound traffic on Dubarry Boulevard be required to stop for northbound and southbound traffic on Lorraine Drive; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
5. (a) That a "No Stopping" regulation be implemented on the south side of Macassa Avenue commencing at Upper Sherman Avenue and extending to a point 106 feet easterly therefrom; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
6. (a) That parking be prohibited on the south side of Royal Avenue between Bowman Street and Wilmont Court; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
7. (a) That a "No Parking" regulation be implemented on the north side of McElroy Road West between West 2nd Street and West 3rd Street; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
8. (a) That a "No Stopping" corner clearance be implemented on the west side of East 24th Street commencing at Fennell Avenue East and extending to a point 79 feet southerly therefrom; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
9. (a) That the existing "Permit Parking" regulation on the north side of Picton Street West commencing at a point 204 feet west of MacNab Street North and extending to a point 23 feet westerly therefrom be removed; and
(b) That the City Traffic By-law 89-72 be amended accordingly.

10. (a) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the west side of Acadia Drive commencing at a point 225 feet south of the south curb line of Butler Drive and extending to a point 116 feet southerly therefrom; and

(b) That the City Traffic By-law 89-72 be amended accordingly.
11. (a) That a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation be implemented on both sides of Keith Street from Douglas Street to Cheever Street in conjunction with the existing "Alternate Side Parking" regulation; and

(b) That the City Traffic By-law 89-72 be amended accordingly.
12. (a) That a "No Stopping" corner clearance be implemented on the west side of Bay Street South commencing at Aberdeen Avenue and extending to a point 82 feet southerly therefrom; and

(b) That the City Traffic By-law 89-72 be amended accordingly.
13. (a) That the existing "Permit Parking" regulation on the south side of Wood Street East which commences at a point 133 feet east of Ferguson Avenue North and extends to a point 48 feet easterly therefrom be shortened such that the regulation commences at a point 133 feet east of Ferguson Avenue North and extends to a point 24 feet easterly therefrom; and

(b) That the City Traffic By-law 89-72 be amended accordingly.
14. (a) That a "Permit Parking" regulation be implemented on the south side of Cambridge Avenue commencing at a point 144 feet west of Robins Avenue and extending to a point 23 feet westerly therefrom; and

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. George Lyon, No. 32 Cambridge Avenue; and

(c) That the City Traffic By-law 89-72 be amended accordingly.

15. (a) That the existing "No Stopping" corner clearance on the west side of Glendale Avenue North which commences at Primrose Avenue and extends to a point 45 feet southerly therefrom be removed; and
(b) That the existing "No Stopping" corner clearance on the east side of Glendale Avenue North which commences at Primrose Avenue and extends to a point 63 feet southerly therefrom be removed; and
(c) That the City Traffic By-law 89-72 be amended accordingly.
16. (a) That a "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 10:00 p.m., seven days a week" regulation be implemented on the north side of Morgan Road commencing at a point 28 feet west of Caroga Court and extending to a point 30 feet westerly therefrom; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
17. (a) That the centre lane of Mall Road be designated as a two-way left turn lane from 100 m to 265 m south of Mohawk Road; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
18. (a) That in accordance with the request by the Hamilton Street Railway Company the following new bus stops be approved:

Route 32 and Route 27A

Add - Southbound - Garth Street, west side, 43 feet north
of the centre line of Gisele Drive (N/S); and

Add - Northbound - Garth Street, east side, 3 feet south of the projected
south curb line of Gisele Drive (M/B); and

- (b) That the City Traffic By-law 89-72 be amended accordingly.

19. That a purchase order be issued to Canadian Corps of Commissionaires (Hamilton), for parking enforcement services for 1994, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows:

<u>POSITION</u>	<u>BILLING RATE</u>
Sergeant	\$11.70
Corporal	\$11.20
Commissionaire	\$10.77

20. (a) That the Parkview East Neighbourhood be designated as a Neighbourhood Watch Area; and
- (b) That Neighbourhood Watch signs for the Parkview East Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and
- (c) That the necessary funds be charged to Account No. CH55301 75030 (Neighbourhood Watch Program).
21. (a) i. That an Option to Purchase Agreement by the City, duly executed by the owners, Lucy and Santo Boffa, on 1993 November 17, and scheduled for closing within thirty (30) days of completion of all conditions set out in this agreement but in any event, no later than 1995 January 15, for the lands and premises situated in the Regional Municipality of Hamilton-Wentworth, in the City of Hamilton, being composed of part of Lot 1, Concession 1, having a frontage of 12.0 metres (39.37 feet) more or less, along the southerly limit of Rymal Road West, by a depth of 12.0 metres (39.37 feet) more or less, being triangular in shape and comprising a total area of 69.999 square metres (753.487 square feet) more or less, more particularly described as Part 6, on Reference Plan 62R-12388, known municipally as address 647 Rymal Road West, be approved and completed and the purchase price of \$5,275. be charged to Account No. CH5X303 00102 (Reserve for Property Purchases).

- ii. That as consideration in the amount of \$2. has been paid to the owner pursuant to this agreement, this amount be deducted from the purchase price.
- iii. That it is understood and agreed that as a condition of this agreement, the City of Hamilton will reconstruct the driveway access currently opening onto Rymal Road West to a driveway location opening to be determined by the City onto the future extension of Upper Paradise Road, and the City further agrees to restore the previous driveway lands by removing the existing gravel, replacing with soil and sodding the disturbed area in a manner consistent with the surrounding area and to the satisfaction of the City.
- iv. That it be understood and agreed that on closing of this transaction, the City will grant a single 20 foot right-of-way in favour of the Purchaser over Part 2 on Reference Plan 62R-12388, for driveway purposes to the existing residence until such time as the land servicing costs are fully recovered by the City and the reserved lands are transferred to the Purchaser, his successors, agents or assigns.
- v. That it be understood and agreed that the City agrees to pay Lucy and Santo Boffa's reasonable legal fees, provided the account for legal services, the hourly rates and hours incurred are satisfactory to the City Solicitor.
- vi. That upon closing, the Senior Director of Roads be authorized and directed at his discretion to incorporate said Part 6, Plan 62R-12388 into the City road allowance.
- vii. That it be understood and agreed that attached to this Option to Purchase Agreement as Schedule "C" is an Authority to Enter, duly executed by Lucy and Santo Boffa, on 1993 November 17, authorizing the City, its servants and agents to enter upon the lands for the purposes of relocating, reconstructing and restoring the driveway access as called for in this agreement.
- viii. That the Mayor and City Clerk be authorized and directed to execute the necessary agreements.

- (b) i. That an Option to Purchase Agreement by the City, duly executed by the owner, Thomas Sullivan, on 1993 October 27, and scheduled for closing within thirty (30) days of completion of all conditions set out in this agreement but in any event no later than 1995 January 15, for the lands and premises situated in the Regional Municipality of Hamilton-Wentworth, being composed of part of Lot 1, Concession 1, having a frontage of 22.86 metres (75.0 feet) more or less, along the southerly limit of Rymal Road West, by a depth of 12.414 metres (40.728 feet) more or less, being irregular in shape and comprising a total area of 140.026 square metres (1,507.277 square feet) more or less, more particularly described as Parts 4 and 5 on Reference Plan 62R-12388, known municipally as 639 Rymal Road West, be approved and completed and the purchase price of \$4. be charged to Account No. CH5X323 00102 (Reserve for Property Purchases).
- ii. That it be understood and agreed that the City agrees to pay Thomas Sullivan's reasonable legal fees, provided the account for legal services, the hourly rate and hours incurred are satisfactory to the City Solicitor.
- iii. That this Option be conditional upon and subject to the City of Hamilton accepting and successfully completing an Offer to Purchase executed by Thomas Sullivan for the sale of lands described as Part 3 on Reference Plan 62R-12388, save and except the westerly 0.3 metre of said Part 3, Plan 62R-12388, by the City, on or before the date agreed upon herein for closing. The said Offer to Purchase and the Option herein are to be accepted by the Council for the City of Hamilton concurrently and the closing of both transactions are to be contemporaneous with each other.
- iv. That upon closing, the Senior Director of Roads be authorized and directed at his discretion to incorporate said Part 4 on Plan 62R-12388 into the City road allowance.
- v. That the Mayor and Clerk be authorized and directed to execute the necessary documents.

- (c) i. That an Offer to Purchase, duly executed by Thomas Sullivan, on 1993 October 27, and scheduled for closing within thirty (30) days of completion of all conditions of this agreement, but in any event no later than 1995 January 15, for the purchase of the lands and premises situated in the Regional Municipality of Hamilton-Wentworth, being composed of part of Lot 1, Concession 1, more particularly described as having a length of 68.834 metres (225.83 feet) more or less, by a depth of 4.167 metres (13.671 feet) more or less, being irregular in shape and comprising a total area of 295.55 square metres (3,181.3 square feet) more or less, being vacant land more particularly described as Part 3, on Reference Plan 62R-12388, be approved and completed and the purchase price of \$4. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
- ii. That it be understood and agreed that the exact area of the subject parcel of land to be transferred will be determined through a survey prepared by the City.
- iii. That upon acceptance by City Council of the Offer and Option mentioned above, the Regional Surveyor be requested and directed to prepare a survey plan establishing a one foot reserve along the westerly 0.3 metre of said Part 3, Plan 62R-12388, and register said plan in the Registry Office as required.
- iv. That the City agrees that Part 3, on Plan 62R-12388, shall be graded and sodded to the satisfaction of the City at its expense contemporaneously and as part of the road construction in conjunction thereto. It is further agreed that upon completion of such grading and sodding, said Part 3 shall be turned over to the Purchaser in a neat and tidy condition.
- v. That it be understood and agreed that on closing of this transaction the City will grant a single 20 foot right-of-way in favour of the Purchaser over the westerly 0.3 metre of said Part 3, for driveway purposes to the existing residence until such time as the land servicing costs are fully recovered by the City and the reserved lands are transferred to the Purchaser, his successors, executors, agents or assigns.

- vi. That it be understood and agreed that as a condition of this agreement, the City of Hamilton will reconstruct the driveway access currently opening onto Rymal Road West to a driveway location opening, to be determined by the City onto the future extension of Upper Paradise Road, and the City further agrees to restore the previous driveway lands by removing the existing gravel, replacing with soil and sodding the disturbed area in a manner consistent with the surrounding area and to the satisfaction of the City. The City herein acknowledges the presence of an underground electrical conduit existing on the westerly side of the existing driveway and agree to reconstruct the existing stone pillars to the new driveway entrance and reconnect the electrical conduit to the entrance pillar lights.
- vii. That the City agrees to pay Thomas Sullivan's reasonable legal fees, providing the account for legal services, the hourly rate and hours incurred are satisfactory to the City Solicitor.
- viii. That this Offer be conditional upon and subject to the City of Hamilton accepting and successfully completing an Option to Purchase executed by Thomas Sullivan, for the purchase of a portion of the property located at 639 Rymal Road West, designated as Parts 4 and 5 on Reference Plan 62R-12388, by the City on or before the date agreed upon herein for closing. The said Option to Purchase and the Offer herein are to be accepted by the Council for the City of Hamilton concurrently and the closing of both transactions are to be contemporaneous with each other.
- ix. That it be understood and agreed that the City agrees to remove the septic tank system, if any, located on the said land upon the request of the purchaser, his successors, executors, agents or assigns; which request shall necessarily be made within two (2) years of the closing of the transaction. The Vendor further agrees to generally do such things as may reasonably be required to restore the property to its original condition.

- x. That it be understood and agreed that attached to this Offer to Purchase Agreement as Schedule "C" is an Authority to Enter, duly executed by Thomas Sullivan, on 1993 October 27, authorizing the City, its servants or agents to enter upon the lands for the purposes of relocating, reconstructing and restoring the driveway access as set out within this agreement.
 - xi. That the Mayor and Clerk be authorized and directed to execute the necessary agreements.
- (d) That, upon completion of the Option to Purchase with Mr. Sullivan noted above, the Director of Property be authorized and directed to negotiate an Offer to Purchase Agreement at fair market value and in a form satisfactory to the City Solicitor with the Regional Municipality of Hamilton-Wentworth to sell said Part 5, Plan 62R-12388 to the Region for road widening purposes.
22. (a) That an Offer to Purchase (Highway Closure), executed by Daniel Paul Cooper and Sherrill Dawn Marie Cooper, on 1993 November 23, and scheduled for closing within thirty (30) days after the conditions in the Offer have been fulfilled to the satisfaction of the City, for the purchase of part of Limeridge Road in the City of Hamilton, shown as Part 3 on Plan 62R-11488, containing 70.5 square metres (758.8 square feet) more or less, and a one foot strip of land shown as Part 4 on Plan 62R-11488, containing 10.9 square metres (117.3 square feet) more or less, be approved and completed and the funds derived from this sale of \$1. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases/Sales).
- (b) That the Regional Surveyor be directed to establish Part 2 on Plan 62R-11488 as a one foot reserve to prevent vehicular access onto Limeridge Road East.
- (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents to finalize this transaction.
23. (a) That the City accept title to the land required for the future extension of Embassy Drive and Artistic Boulevard, from P. Barnett Construction Limited. This land described as Part 1 on Plan 62R-11152 is being dedicated to the City by its owner to allow abutting development to take place in advance of the owner's and is required for the completion of the Lisgar Neighbourhood Plan and the cost to register this transfer of \$50. be charged to Account No. CH5X303 00102 (Reserve for Property Purchases).

- (b) That the Regional Surveyor be requested to establish a one foot reserve along said lands for the recovery of the cost of servicing and to register such plan in the Registry Office as required.
 - (c) That the Director of Roads be authorized and directed at his discretion to incorporate said Part 1, Plan 62R-11152 into the City road allowance.
 - (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
24. (a) That an Offer to Purchase (Easement) Agreement, executed by Regional Officials, on 1993 October 21, and scheduled to close on or before 1994 January 28, for the purchase by the Region of a Sanitary Sewer and Watermain Easement over the lands being composed of part of Lot 9 and part of a Lane, Registered Plan 440, designated as Part 26 on Plan 62R-6159, having a frontage along the westerly limit of Beach Boulevard of 6.09 metres (20.0 feet) more or less, by a depth of 55.598 metres (182.0 feet) more or less, (commonly known as Fletcher Avenue), be approved and completed, and the funds derived from this sale of \$1. be credited to Account No. CH4X501 00102 (Sale of Land - Property Purchases).
- (b) That an Authority to Enter Agreement, executed by Regional Officials on 1993 October 21, authorizing the Region to enter City lands for the construction of a Sanitary Sewer and Watermain over Part 26 on Plan 62R-6159, effective the day following City Council approval, be approved.
- (c) That an Offer to Purchase (Easement) Agreement, executed by Regional Officials, on 1993 October 21, and scheduled to close on or before 1994 January 28, for the purchase by the Region of a Sanitary Sewer and Watermain Easement over the lands being composed of all of the 20 foot "Road", Registered Plan 452, lying north of, adjacent to and abutting Block "E" of the said Registered Plan (commonly known as Fletcher Avenue), having a frontage along the easterly limit of Beach Boulevard of 6.09 metres (20.0 feet) more or less, by a depth of 58.21 metres (191.0 feet) more or less, be approved and completed, and the funds derived from this sale of \$1., be credited to Account No. CH4X501 00102 (Sale of Land - Property Purchases).

- (d) That an Authority to Enter Agreement, executed by Regional Officials on 1993 October 21, authorizing the Region to enter City lands for the construction of a Sanitary Sewer and Watermain over all of the 20 foot "Road", Registered Plan 452, lying north of, adjacent to and abutting Block "E" of the said Registered Plan (commonly known as Fletcher Avenue), effective the day following City Council approval, be approved.
- (e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.
25. That the City accept title to the land required for the future extension of Eaglewood Drive and one foot reserves, if any, from Robert Shelley Construction Limited. This land described as Parts 1 - 7 inclusive and Parts 10 and 11 on Plan 62R-9927 is being dedicated to the City by its owner, in accordance with a draft plan of subdivision, and the developer's solicitor is to prepare the necessary deed and certify title to the City.
26. (a) That the City of Hamilton enter into a Tenancy Agreement with S. Shakeshaft to rent the premises known as 2656 King Street East, subject to the terms and conditions of the standard residential Tenancy Agreement.
- (b) That commencing 1993 December 1 the monthly rent will be \$575. (including realty taxes of \$2,429.94 for 1993) and rental proceeds be credited to Account No. CH44104 31106 (City Properties Rental).
- (c) That the Mayor and City Clerk be authorized and directed to execute the standard residential Tenancy Agreement.
27. (a) That the following City lands be incorporated into the streets in order to complete the final street width or to provide access and hook-up to newly registered subdivision developments:
- | | | |
|---------------------|----------------|----------------|
| Claudette Gate | Part 3 Plan | 62R-12354 |
| Leland Street | Parts 3 & 4 | Plan 62R-11315 |
| Upper Paradise Road | Part 7 & 8 | Plan 62R-12388 |
| Duncairn Crescent | Parts 2, 4 & 6 | Plan 62R-12372 |
| Lynnette Drive | Block 17 | Plan 62M-734 |
- (b) That the by-laws to carry out the incorporation of the said lands into the foregoing streets be enacted by City Council.

- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.
28. That the applications to retain inadvertent encroachments at the locations as outlined in Appendix "A", attached hereto, be approved during the pleasure of City Council provided:
- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
- (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement.
- (c) That the first year fees and subsequent annual fees as outlined in Appendix "A" be set for the encroachments.
29. That a purchase order be issued to Sifto Canada, Mississauga, for the supply and delivery of Sodium Chloride Coarse Crushed as and when required by the Public Works Department, being the lowest of three tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and be financed through Stock Materials Account No. CH56197 60999, as follows:

<u>Delivered Price</u>	<u>Picked Up Price</u>
\$34.55 per tonne	\$32.75 per tonne, plus applicable taxes

30. That a purchase order be issued to Lakeview Sand and Gravel, Paris, to supply and deliver Treated Screened Sand during the 1993-1994 winter sanding season as and when required by the Public Works Department, being the lowest of five tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through Stock Materials Account No. CH56197-60999, as follows:

<u>Delivered Price</u>	<u>Picked Up Price</u>
\$14.41 per tonne	\$10.72 per tonne, plus applicable taxes

31. (a) That the appropriate by-law for the closure, retention and sale of a portion of Limeridge Road, designated as Parts 2 and 3, on Plan 62R-11488, be forwarded to City Council for enactment.
- (b) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
32. (a) That the appropriate by-law for the closure, retention and sale of a portion of a public walkway, designated as all of Block 43, Plan 62M-575, be forwarded to City Council for enactment.
- (b) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
33. (a) That portions of the first alley, south of Barton Street (between Brunswick & Osborne), shown as Parts 1, 2, 4, 5, and 6, on Plan 62R-11618, be sold to three different parties for \$1. each.
 - i. Part 1, on Plan 62R-11618 to be sold to G. & C.A. Oikawa,
 - ii. Part 5, on Plan 62R-11618 to be sold to A.C. Geeling,
 - iii. Parts 2, 4 and 6, on Plan 62R-11618 to be sold to M.M. Alderson & S.D.A. Williston.
- (b) That the by-law to carry out the sale of the said lands be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
34. (a) That the Commissioner of Transportation/Environmental Services be directed to prepare a by-law to stop up, close and sell the assumed north/south alley east of No. 1 Young Street;
- (b) That the Commissioner of Transportation/Environmental Services be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 48 of the Regional Act;

- (c) That the applicant prepare and register a reference plan under the Registry Act, to delineate the manner in which the proposed closed alley is to be disposed of;
 - (d) That the applicant provide an easement to Bell Canada for the existing aerial cable in the proposed closure area;
 - (e) That the City Clerk be directed to publish a notice of City Council's intention to pass the by-law, pursuant to Section 301 of the Municipal Act, R.S.O. 1980;
 - (f) That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owners.
35. That the reconstruction of roadway, curbs and sidewalks on Ofield Road between Main and Ramsey (east leg), Lower Horning Road between Ofield and Harold and Kelly and Elgin Streets in Beasley Park in the total amount of \$490,000. be incorporated as a part of the 1992 Road Reconstruction Programme.
36. (a) That the 1994 charges per metre of frontage for Local Improvement construction be increased to the rate of inflation to a maximum of 3%.

		Maximum Charge per Metre of Frontage	
<u>Item</u>		<u>Existing 1993</u>	<u>Proposed 1994</u> (Maximum)
i.	Curb Only	\$ 53.	\$ 54.59
ii.	Sidewalks Only	89.	91.67
iii.	Sidewalks and Independent Curbs or Combined Sidewalks and Curbs	121.	124.63
iv.	Roadway Only	222.	228.66
v.	Alleys	95.	97.85
vi.	Roadway and Curbs Only (Industrial Subdivisions)	290.	298.70

- (b) That the City Solicitor be authorized and directed to amend the Local Improvement by-law.

37. (a) That the City assume the east-west public alley on the east side of Dundurn Street between Main Street and King Street, adjacent to the north side of Lots 5, 6, and 7 as shown on Registered Plan No. 166, upon the satisfactory completion of construction of this concrete alley by the owner/lessee of lands at 460 Main Street West to City of Hamilton standards, and the Commissioner of Transportation/ Environmental Services be authorized to prepare and introduce the necessary by-law to establish this alley as a public highway.
- (b) That the required reference plan, engineering plans, and construction of this concrete alley to City standards, be the sole responsibility of the owner/lessee of lands at No. 460 Main Street West.
- (c) That Taco Bell Canada be advised of this action.
38. (a) That two additional Parking Control Officers be hired from within the existing City staff complement as of 1994 January 3; and
- (b) That the contract with the Canadian Corps of Commissionaires be revised to provide for the supply of four additional commissionaires for parking enforcement as of 1994 January 3; and
- (c) That all associated cost increases for salaries, benefits and operating supplies and contracted services for the two additional Parking Control Officers and the four additional commissionaires be authorized as part of the 1994 Traffic Department Budget allocation.
39. (a) That the first two parking meters on the north side of Hunter Street East, east of James Street South, be removed and replaced with a "Permit Parking" regulation; and
- (b) That the Director of Traffic Services be authorized to issue two parking permits to the Regional Social Services Department, 1 Hunter Street East, to exempt persons attending the "work-able" facility from the "Permit Parking" regulation at this location; and

- (c) That the Regional Health and Social Services Committee be requested to provide sufficient funds in their 1994 budget to allow for the construction of a wheelchair ramp to provide access to the off-street parking facility for this property.

40. That leave be granted to introduce the following Bills:

- (a) **Bill A-88** By-law to Stop-up, Close, Retain and Authorize the Sale of Parts of Limeridge Road as established by By-law No. 76-264
- (b) **Bill A-89** By-law to Stop-up, Close, Retain and Authorize the Sale of Parts of a Public Walkway Designated as all of Block 43, Plan 62M-575
- (c) **Bill A-90** By-law - the Sale of Portions of an Alley Closed by Judge's Order No. 159226 (93) Parts 1, 2, 4, 5 and 6, on Plan 62R-11618
- (d) **Bill A-91** By-law to Incorporate Part of Block 144, Plan 62M-679 Designated as Part 3, Plan 62R-12354 into Claudette Gate
- (e) **Bill A-92** By-law to Incorporate Parts 3 and 4, Plan 62R-11315 into Leland Street
- (f) **Bill A-93** By-law to Incorporate Part 7, Plan 62R-12388 into Upper Paradise Road
- (g) **Bill A-94** By-law to Incorporate Part 8, Plan 62R-12388 into Upper Paradise Road
- (h) **Bill A-95** By-law to Incorporate Parts 2, 4 and 6, Plan 62R-12372 into Duncairn Crescent
- (i) **Bill A-96** By-law to Incorporate Block 17, Plan 62M-734 into Lynnette Drive

1993 December 14

- (j) **Bill A-97** By-law to amend Traffic By-law 89-72 to Regulate Traffic
- (k) **Bill A-98** By-law to amend Traffic By-law 89-72 to Regulate Traffic
- (l) **Bill A-99** By-law to Amend Traffic By-law 89-72 to Regulate Traffic." **ADDED AND CARRIED.**

41. (a) That a "No Parking" regulation be implemented on the south side of St. James Place commencing at James Street South and extending to a point 227 feet westerly therefrom; and

(b) That the City Traffic By-law 89-72 be amended accordingly. **ADDED AND CARRIED.**

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1993 December 6th

<u>Location</u>	<u>Type of Encroachment</u>	<u>First Year/Annual</u>	<u>File Number</u>
476 Ferguson Avenue North	Portion of Building measuring 1.67' x 45.22' and a wood deck measuring 1.64' x 7.00' on Macauley Street. Portion of building measuring 1.4' x 23.28' and stoop and stairs measuring 4.65' x 6.10' on Ferguson Ave.	\$112/20.00	T103 50 (1043)
455 Charlton Avenue West	Bay Window measuring 0.8' x 3.5'	\$112/20.00	T103 50 (989)
39 Division Street	Portion of Building on Vansitmart Street measuring 0.49' x 23.3'	\$112/20.00	T103 50 (1013)
211 Victoria Avenue North	Building and Porch on Robert Street measuring 0.24' x 24.81'	\$112/20.00	T103 50 (991)
1122 Cannon Street East	Wood Steps measuring 1.38' x 3.5'	\$112/20.00	T103 50 (973)
4 Robins Street	Eaves measuring on Sunnidale Ave. measuring 0.33' x 47.38'	\$112/20.00	T103 50 (984)
31 Dalkeith Street	Porch measuring 0.76' x 17.78' Steps measuring 3.00' x 3.33'	\$112/20.00	T103 50 (1010)
208 Catharine Street North	Eaves, Gutter, Footing & Step measuring 0.90' x 12.0'	\$230/20.00	T103 50 (1073)
271 Robert Street	Porch and Steps measuring 3.0' x 5.0'	\$132/20.00	T103 50 (942)
41-45 Cathcart Street	Landscaping measuring 3.48', x 17.38' and a Concrete Ramp measuring 1.80' x 3.48'	\$112/20.00	T103 50 (994)
44 Fairview Avenue	Portion of Building measuring 0.15' x 20.52'	\$112/20.00	T103 50 (934)
#337 - 339 Hughson Street North	Cornice and Step measuring 0.5' x 3.00'	\$112./20.00	T103 50 941)
242 Rosslyn Ave.	Steps measuring 1.84' x 3.4'	\$112/20.00	T103 50 (946)
299 John Street North	Steps measuring 1.7' X 4.0'	\$112/20.00	T103 50 (1068)

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **TWENTIETH** Report for 1993 and respectfully recommends:

1. (a) That the Ontario Sport Legends Hall of Fame and Museum proposed Constitution and By-Laws, dated 1993 November, attached hereto as Appendix "A" be approved; and
- (b) That the proposed Selection Criteria: Ontario Sport Legends Hall of Fame and Museum, dated 1993 November, attached hereto as Appendix "B" be approved; and
- (c) That the proposed first Ontario Sport Legends Hall of Fame and Museum Board of Directors attached hereto as Appendix "C" be approved; and
- (d) That approval be given to the Ontario Sport Legends Hall of Fame and Museum to proceed with their incorporation.
- (e) That the City continue to provide the Board of Directors with meeting facilities and staff resources.
- (f) That "seed money" in the amount of \$3000. (three thousand dollars) be made available to the Board from the Department of Culture and Recreation Department - Innovative Programming Account.
2. (a) That this year's Winterfest be held from 1994 February 11th to February 13th, within a format which provides for all ages and interests.
- (b) That Chedoke Winter Sports Park be the headquarters to host large scale events such as Horse and Wagon Rides, Dog Weight Pull, Bonfire, and Mountain Bike Race for this year's event in addition to the various satellite locations across the city.

3. (a) That the Director of Culture and Recreation and the Manager of Purchasing, with the support of the City Solicitor, be authorized to invite Expressions of Interest for the operation of the West Mountain Arenas and Community Centre for a maximum 3 year period.
 - (b) That the interest call include detailed level of service requirements to include, but not be limited to:
 - the ice maintenance
 - building maintenance
 - administrative support
 - food and beverage concessions
 - sport shop
 - grounds care
 - parking lot operation
 - (c) That the operational proposal provide a cost benefit analysis and budget description which supports the level of service implications over a three year period. **REFERRED TO THE NEXT MEETING OF THE PARKS AND RECREATION COMMITTEE.**
-
4. (a) That the City quit claim its interest in a strip of land measuring 9 feet by 115 feet to the owners of the adjacent residential property known as No. 204 Canada Street as the said strip has been possessed by the adjacent owners and their predecessors since prior to 1955.
 - (b) That the adjacent owners (of No. 204 Canada Street) be required to deposit a reference plan satisfactory to the Commissioner of Transportation/ Environmental Services for purposes of the said Quit Claim.

1993 December 14

5. That the Chairman of the Parks and Recreation Committee be appointed to sit on the Board of The Greater Hamilton Sports Corporation at the pleasure of City Council. **ADDED AND CARRIED.**

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1993 December 7th

Proposed

Constitution and By-laws

The Ontario Sport Legends Hall of Fame and Museum

Article 1 - Name

- (a) The name of this corporation shall be the Ontario Sport Legends Hall of Fame and Museum, hereinafter referred to as The Hall of Fame.
- (b) The Hall of Fame shall be located in the City of Hamilton, Province of Ontario.

Article 2 - Objectives

The objectives of the Hall of Fame shall be:

- (a) To honour and perpetuate the names of those persons whose contributions to sport have brought recognition and distinction to themselves and the Province of Ontario.
- (b) To carry out the business of the Corporation without purpose of gain for its members and to use any profit or accretion to the Corporation for the purpose of promoting its objectives.
- (c) To develop and supervise an appropriate venue for The Hall of Fame.
- (d) To collect and display sport artifacts.

Article 3 - Membership

3.1 Honoured Member

The Hall of Fame membership shall be composed of those individuals who have been elected to and inducted in the Hall of Fame.

3.2 Classes of Member

- (a) Patrons
There shall be Patrons as the Board of Directors (hereinafter referred to as the Board) deems desirable in the interests of the Corporation and who accept the invitation to act as such.
- (b) Honorary Life Members
 - i. There shall be such Honorary Life Members as the Board of Directors may deem desirable in the interests of the Corporation and who accept the invitation to act as such.

- ii. Honorary Life Members of the Corporation shall be such persons as the Board desires to honour for services to the Corporation or in respect of the purposes thereof and who agreed to accept and, upon the recommendation of the Board of Directors, are granted Honorary Life Membership in the Corporation by the Active Members.
- iii. Honorary Life Members shall be entitled to attend all annual and special General Meetings of the Members of the Corporation and vote thereat and may hold office.
- iv. The Board of Directors may appoint a Board of Advisors from the Honorary Life Members and others to assist the Board in the operation of The Hall of Fame.

(c) Active Members

- i. The Active Members of the Corporation shall consist of:
 - The applicants for incorporation of the Corporation; and
 - Such other persons, associations, partnership or corporations that may upon the invitation of the Board, agree to accept and are granted Active Membership. Each such person that is an association, partnership, corporation or not a natural person is entitled to one representative who shall, as long as he/she remains the representative of such Member, "ex officio" be an Active Member of the Corporation.
- ii. Membership as an Active Member shall be for a term of not more than four years, provided that such membership may be renewed. Active Members shall be entitled to attend all General Meetings of the Corporation and to participate therein and vote thereat and may hold office.

Article 4 - General

4.1 Head Office

The Head Office of the Corporation shall be in the City of Hamilton, Province of Ontario.

4.2 Fiscal Year

The period for the fiscal year of the Corporation shall be determined from time to time by resolution of the Directors.

Article 5 - Meetings

5.1 Annual and Special General Meetings

- (a) The Annual General Meeting of the Corporation shall be held at such time and place in Ontario as may be decided upon by the Board. Any Annual General Meeting may constitute a Special General Meeting to consider, deal with and dispose of any business to be considered, dealt with and disposed of at any Special General Meeting.
- (b) Special General Meetings of the Corporation may be held at such time and places as may be decided upon by the Board. They shall be called upon resolution passed by a two-thirds majority vote of the Board or by the President or upon the request in writing of not less than ten of the Active Members of the Corporation. The notice calling the meeting shall specify the purposes for which it is called and no business other than that mentioned in the notice calling the meeting shall be transacted thereat unless all Members entitled to vote at the meeting are present and consent to the transaction of such other business.

5.2 Agenda of Meetings

- (a) The business transacted at any Annual General Meeting of the Corporation shall include:
 - i. The adoption of the Minutes of the last Annual General Meeting or of a subsequent Special General Meeting;
 - ii. the report of the President and of the Board of Directors;
 - iii. The ratification of By-laws and Amendments;
 - iv. The election of Honorary Life Members; and
 - v. The election of Directors.
- (b) The Corporation shall at each Annual General Meeting appoint an auditor or auditors to audit the accounts of the Corporation, to hold office until the next Annual Meeting and until the appointment of his/her or their successor or successors unless he/she or they shall resign or his/hers or their offices become vacant by death.

5.3 Notice of Meetings

Not less than twenty (20) days' notice shall be given of any Annual or ten (10) days' notice of any Special General Meeting of the Corporation. Such notice shall be in writing and forwarded by prepaid post or telegraph to each member at

his/her last address shown in the records of the Corporation and the non-receipt of such notice by a Member shall not invalidate the proceedings of such Meeting.

5.4 Quorum

Nine (9) persons personally present and representing, in their own right or by proxy, not less than twenty (20) per cent in number of the Members entitled to vote at a General Meeting of the Corporation shall constitute a quorum for the transaction of business thereat.

5.5 Voting

1993 December 14

Any question proposed for the consideration of the Members at a General Meeting of the Members shall, except as otherwise required by law, be determined by a majority of votes cast in person by Members entitled to vote at such meeting, each Honorary Life Member and Active Member or representatives thereof being entitled to one vote in respect thereof, and the Chairman presiding at such meeting shall have the casting vote in the case of an equality of votes.

5.6 Chairman

The President of the Corporation, or such other person as may from time to time be appointed for the purposes by the Board of Directors, shall preside at meetings of Members.

5.7 Procedure at Meetings

The Chairman of any meeting of Members shall conduct the procedure thereat in all respects and his/her decision on these matters shall be conclusive and binding upon the Members. The Chairman at any such meeting shall have the power at any time during the proceedings to adjourn the meeting from time to time and no notice of any such adjourned meeting need be given. In the event of any such adjournment, any business which would have been considered, dealt with and disposed of at the original meeting may be considered, dealt with and disposed of at any such adjourned meeting.

Article 6 - Board of Directors

6.1 Directors

- (a) The affairs of the Corporation shall be managed by a Board of Directors, consisting of a minimum of 15 persons and a maximum of 28 persons, each of whom shall be elected from among the Honorary Life Members and Active Members of the Corporation.
- (b) Each Director shall be elected for a term of not more than one year, may be reelected, shall not hold office until the election of his/her successor unless he/she should resign or his/her office should become vacant.
- (c) Any vacancy occurring in the Board of Directors may be filled by the Board from among the Honorary Life Members and Active Members of the Corporation for the remainder of the vacated term.
- (d) The office of a Director shall automatically be vacated:
 - i. if he/she becomes bankrupt or suspends payment to his/her creditors or makes an assignment for the benefit of his/her creditors or is declared insolvent; or
 - ii. if he/she is found to be lunatic or becomes of unsound mind; or
 - iii. if he/she ceases to be an Honorary Life Member or Active Member; or
 - iv. if he/she dies; or
 - v. if he/she is removed at any meeting of the Members called for the purpose, and another duly qualified person shall not have been elected in his/her stead at such meeting.

- (e) Members of the Board may be reimbursed such travelling and other expenses incurred by them in connection with the business of the Corporation, as the Board shall from time to time authorize.
- (f) Every Director or Officer of the Corporation, his/her heirs, executors and administrators, and estate and effects, respectively, may, with the consent of the corporation, given at any meetings of the Members, from time to time and at all times, be indemnified and saved harmless out of the funds of the corporation, from and against:
 - i. all costs, charges and expenses whatsoever that he/she sustains or incurs in or about any action, suit or proceeding that is brought, commenced or prosecuted against him/her, for or in respect of any act, deed, matter or thing whatsoever, made, done or permitted by him/her, in or about the execution of the duties of his/her office; and;
 - ii. all other costs, charges and expenses that he/she sustains or incurs in or about or in relation to the affairs thereof, except such costs, charges or expenses as are occasioned by his/her own wilful neglect or default.

6.2 Notice of Meeting of the Board

- (a) The Board shall meet at the call or by order of the Chairman of the Board or of the President, or, in their absences, of the Vice-President or of any two Directors. Meetings of the Board shall be called at least twice in each fiscal year and one such meeting shall be called forthwith after the close of the Annual General Meeting of the Members.
- (b) At least three clear days' notice shall be given of Meetings of the Board of Directors.
- (c) No notice of the time and place of any meeting of the Board need be given to any Director who attends such meeting or who in writing or by telegram or by cable, either before or after the holding thereof, waives such notice.

6.3 Quorum

Fifty percent (50%) plus one members of the Board of Directors shall form a quorum at any meeting of the Board.

6.4 Powers of the Board

The Board of Directors manages and administers the affairs of the Corporation through by-laws or resolutions to attain its objectives and generally may exercise all such powers and authority and so all such acts and things as the Corporation is authorized to exercise and do and which are not by the by-laws or by statute directed or required to be exercised or done only by the Corporation in a general meeting of its Members.

6.5 Removal of Directors

Any Director may be removed (either with or without cause) at any meeting of the Members called for the purpose by a vote of a majority of the Members present or represented. At the same meeting, a duly qualified person may be elected in his/her stead. The person so elected shall hold office during such time only as the Director in whose place he/she was elected would have held the same if he/she had not been removed.

- (a) The Directors may from time to time:
- i. Borrow money upon the credit of the corporation;
 - ii. Limit or increase the amount to be borrowed;
 - iii. Issue debentures or other securities of the Corporation;
 - iv. Pledge and sell such debentures or other securities for such sums and at such price as may be deemed expedient;
 - v. Secure any such debentures or other securities or any other present or future borrowing or liability of the Corporation by mortgages, hypothecate, charge or pledge of all or any currently owned or subsequently acquired, real and personal, moveable and immoveable property of the Corporation and the undertaking rights of the Corporation;
 - vi. Guarantee the payment of indebtedness or fulfilment of other obligations of any other person;
- (b) and the Directors, may by a resolution, delegate any or all such powers to such Officers or Directors of the Corporation to the extent in the manner set out in such resolution.
- (c) The Board may from time to time authorize any Director, Officer or Officers or employees of the Corporation on behalf of the Corporation to draw, accept, endorse, execute or certify any cheques, promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments or other agreements and the same and all renewals thereof or substitutions therefor so signed shall be binding upon the Corporation.
- (d) The present by-law shall be regarded as additional to and not replaced by any borrowing by-laws which may be enacted by the Corporation for banking purposes unless otherwise specifically stipulated in such by-law.

6.7 Additional By-laws and Amendments

The Board shall have power to make additional by-laws from time to time, or to repeal, amend, or re-enact any by-laws; and subject as hereinafter provided, every such by-laws and every such repeal, amendment or re-enactment shall, unless meanwhile confirmed at a Special General Meeting of the Members duly called for that purpose, have force only until the next Annual General Meeting of the Members and in default of the confirmation of such Annual General Meeting shall at and from that time only, cease to have force.

6.8 Voting

Each Director is entitled to one vote only. Voting is carried out by a show of hands unless a ballot is requested by at least three Directors. Any motion is carried by a simple majority and in the vent of equality of votes, the Chairman of the meeting shall have a casting vote.

A Director may resign from his/her office upon giving notice in writing to the Corporation of his/her intention to so, and unless a later date is stipulated in such notice the resignation shall take effect thirty (30) days after date of such notice or upon its earlier acceptance.

Article 7 - Officers

7.1 Officers

- (a) The Executive Officers of the Corporation are the Chairman of the Board, the President and, if elected or appointed, one or more Vice-Presidents and such other Officers as the Board of Directors may from time to time deem necessary and appoint as Executive Officers.
- (b) The President, and if elected and appointed the other Executive Officers of the Corporation shall exercise such powers and authority and shall perform such duties, respectively, in addition to those specified in this by-law and as shall from time to time be prescribed by the Board of Directors.
- (c) The same person may hold any two (2) or more of the said offices. None of the Executive Officers of the Corporation except the Chairman of the Board, if appointed, and the President need be Directors or Members of the Corporation.
- (d) the Directors may also from time to time appoint other agents, officers and servants of the Corporation who may be given such titles and who shall exercise such powers and authority and perform such duties of management, or otherwise, (including the power of sub-delegation) as the Directors may from time to time determine.
- (e) In case of the absence of any Officers of the Corporation or for any other reason that the Directors may deem sufficient, the Directors may delegate from time to time being the power and authority of such Officer to any other Officer or to any Director of the Corporation.

7.2 Chairman of the Board

- (a) Chairman shall mean Chairman, Chairwoman or Chairperson at his or her discretion.
- (b) The Chairman of the Board shall if appointed, preside at all meetings of the Board of Directors and shall exercise such other powers and authority and perform such other duties as the Directors may from time to time prescribe.

7.3 President

The President shall be the Chief Officer of the Corporation having the control and supervision of its affairs. He/she shall preside at all meetings of the Members and direct their proceedings unless otherwise determined by the Board of Directors, and in the event of the absence, inability or failure of the Chairman of the Board to act, the President shall preside at all meetings of the Board of Directors. The President shall be "ex officio" a member of all standing committees. The President shall exercise such other powers and authority and perform such other duties as may from time to time be prescribed by the Directors of the Corporation.

7.4 Vice-President

1993 December 14

The Vice-President, or if more than one, the Vice-Presidents shall, if elected or appointed, exercise such powers and authority and perform such duties as may from time to time be prescribed by the Directors or by the President.

7.5 General Manager

The General Manager, if appointed, shall, subject to the control of the President, manage the operations of the Corporation generally, and he/she shall exercise such other duties as may from time to time be prescribed by the Directors or by the President.

7.6 Comptroller

The Comptroller, if appointed, shall be subject to the control of the President, be the chief accounting Officer of the Corporation and he/she shall exercise such other powers and authority and perform such other duties as may from time be prescribed by the Directors or the President.

7.7 Secretary

- (a) The Secretary, if appointed, shall attend to the giving and service of all notices of the Corporation and shall keep the minutes of all meetings of the Directors, the Executive Committee and the Members in a book or books to be kept for that purpose, he/she shall keep in safe custody the corporate seal of the Corporation. He/she shall have charge of the records of the Corporation including books containing the names and addresses of the Members and of the Directors, together with copies of all reports made by the Corporation and such other books and papers as the Directors may direct. He/she shall be responsible for the keeping and filing of all books, reports, certificates and all other documents required by law to be kept and filed by the Corporation. He/she shall exercise such other duties as may from time to time be prescribed by the Directors or by the President.
- (b) Assistant Secretaires may perform any of the duties of the Secretary.

7.8 Treasurer

- (a) The Treasurer, if appointed, shall have the general charge of the finance of the Corporation. He/she shall deposit all moneys and other valuable effects of the Corporation in the name and to the credit of the Corporation in such banks or other depositories as the Directors may from time to time designate, and shall render to the President and to the Directors, whenever so directed, an account of the financial condition of the Corporation and of all his transactions as Treasurer; and as soon as possible after the close of each fiscal year he/she shall have charge and custody of and be responsible for the keeping of the books of account. He/she shall be subject to the control of the President and shall exercise such other powers and authority and perform such other duties as may from time to time be prescribed by the Directors or by the President.
- (b) Assistant-Treasurers may perform any of the duties of the Treasurer.
- (c) Whenever the Secretary is also the Treasurer, he/she may be designated "Secretary-Treasurer"; whenever the Assistant-Secretary is also the Assistant-Treasurer, he/she may be designated "Assistant Secretary-Treasurer".

7.9 Removal and Discharge

The Directors by an affirmative vote of the majority of the Board, may remove any Executive Officer, with or without cause, at any time, unless the resolution or contract providing for his/her appointment stipulated otherwise. An agent, officer or servant who is not an Executive Officer of the Corporation may be discharged by the President, with or without cause, at any time, unless the contract providing for his/her employment or appointment stipulates otherwise.

7.10 Remuneration

The remuneration of all Executive Officers and other Officers appointed by the Directors shall be fixed from time to time by a resolution of the Directors who may also, by resolution, delegate to the President of the Corporation any of the powers granted by this paragraph. The remuneration of all other agents, officers and servants of the Corporation shall be fixed from time to time by the President.

Article 8 - Executive Committee

8.1 Executive Committee

- (a) There shall be an Executive Committee of the Board of Directors consisting of the President of the Corporation, when elected as Director of the Corporation and four (4) other Directors appointed by the Board with the duties and responsibilities as herein provided.
- (b) The Executive Committee shall have the power to appoint a Chairman of the Executive Committee.
- (c) With due regard to any limitation which may be imposed by the Board of Directors, the Executive Committee shall between meetings of the Board of Directors, possess and exercise all the power, rights and authority of the Board of Directors in the management of the affairs of the Corporation, except those which may be law be exercised exclusively by the Board of Directors.
- (d) The Executive Committee is entitled and empowered to execute its decisions.
- (e) The Executive Committee shall hold at least one (1) meeting in each fiscal year of the Corporation.

8.2 Notice

Notice of any meeting of the Executive Committee must be given at least 24 hours before the meeting; such notice may be given orally.

8.3 Quorum

A quorum at any meeting of the Executive Committee shall consist of not less than three (3) Members.

8.4 Secretary

1993 December 14

The Secretary of the Corporation shall act as Secretary of the Executive Committee unless some other Secretary be appointed by the Executive Committee.

8.5 Proceedings to the Board

All proceedings and decisions of the Executive Committee shall be open to the examination of the Board of Directors of the Corporation and shall be reported to the Board of Directors as and when the Board of Directors so directs.

8.6 Meetings

- (a) The meetings of the Executive Committee may be held at the Head Office of the Corporation or at any such other place within Ontario as the Executive Committee may from time to time determine.
- (b) Meetings of the Executive Committee may be called by or by the order of the President, by or by the order of the Chairman or by the order of the Vice-President of the Executive Committee or, by or by the order of any two Members of the Executive Committee.

8.7 Remuneration

The Members of the Executive Committee shall be entitled to receive remuneration for their services as Members of the Executive Committee as the Directors may from time to time determine.

8.8 Removal and Filling of Vacancies

The Directors may from time to time remove any member of the Executive Committee from office. The Directors may also from time to time fill any vacancy which may occur in the membership for the Executive Committee.

8.9 Interpretation

In these by-law and in all other by-laws of the Corporation hereafter passed, unless the context otherwise requires, words importing the singular number or importing gender shall be deemed to include the plural number, or the masculine or feminine gender as the case may be, and references to persons shall include firms and corporations.

ENACTED this day of 1993.

President

Secretary

SELECTION CRITERIA

ONTARIO SPORT LEGENDS HALL OF FAME

ELIGIBILITY

To be eligible for election to the Ontario Sport Legends Hall of Fame, a person need not be a full time resident of the Province of, nor born in the Province of Ontario.

Individuals must have distinguished themselves in their chosen sport (s), whether amateur or professional, singularly as an Ontarian, or as a member of an Ontario based team or other such group.

CATEGORIES

There shall be two categories for election: Athlete and Builder.

Athletes are those who have performed at a level of excellence, 'on the field', in their chosen sport (s).

Builders are those who have contributed to sport as, game officials, administrators, executives, members of the media, or others deemed worthy of recognition by the Board of Directors.

SELECTION COMMITTEE

The annual selection committee shall comprise the Board of Directors, active members, Life Members and members of the media who have a minimum of 10 years sports experience within the Province of Ontario.

A Chairperson is to be appointed annually by the Board of Directors.

The following individuals comprise the proposed first board of directors of the Ontario Sports Legends Hall of Fame and Museum:

Mr. Bruce Prentice
Mr. Jack Pelech
Alderman Bernie Morelli
Mr. Larry Russell
Mr. Glynn Leyshon
Ms. Fran Eberhard
Ms. Mary Keyes
Mr. Norm Marshall
Mr. Cuppy Katz
Mr. Angelo Mosca
Mr. Ross Hamilton
Mr. Colin Millar
Mr. Bob McDade
Ms. Terese Quigley
Mr. Frank Cosentino
Mr. Otto Jelenik
Mr. Irv Ungerman
Mr. Bruce Walker

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **NINETEENTH** Report for 1993 and respectfully recommends:

1. That Zoning Application 93-31, Investland Corporation Limited, prospective owner, for a an amendment to the Official Plan to establish a new Special Policy Area to permit "retail warehouses" within the Industrial designation and to prohibit access from the subject lands onto South Service Road, and for a modification to the existing "JJ" (Restricted Light Industrial) District regulations (Block "1"), and "KK" (Restrict Heavy Industrial) District regulations (Block "2"), to permit retail warehouse(s), on lands known as 8 Burford Road, as shown on the attached map marked as Appendix "A", be denied for the following reasons:

(a) it would result in the loss industrially zoned and designated lands which is undesirable; and,

(b) it is considered premature in the absence of a traffic impact analysis.

REFERRED BACK.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Drury, Morelli, Wilson, Agostino, Charters, Merling, Anderson, D'Amico, Ross. -10.

NAYS: Aldermen Cooke, Kiss, Agro, McCulloch, Copps, Eisenberger, Jackson. -7.
CARRIED.

2. A. That approval be given to Official Plan Amendment No. 122 to redesignate lands municipally known as 30 Wentworth Street North from "COMMERCIAL" and "RESIDENTIAL" to "MAJOR INSTITUTIONAL" and delete Special Policy Area 15, and the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.

- B. That approval be given to Zoning Application 93-28, Hamilton-Wentworth Catholic Separate School Board, prospective owner, for a change in zoning from "J" (Light and Limited Heavy Industry, etc.) District, modified to "DE-3" (Multiple Dwellings) District, modified to permit a secondary school with ancillary day nursery, for the property located at 30 Wentworth Street North, as shown on the attached map marked as Appendix "B", on the following basis:
- (a) That the subject lands be rezoned from "J" (Light and Limited Heavy Industry, etc.) District modified to "DE-3" (Multiple Dwellings) District;
 - (b) That the "DE-3" (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-Law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:
 - i. That notwithstanding Section 10C(3)(i)(b) of Zoning By-Law No. 6593, a minimum front yard depth of 6.0 m (20'-0") shall be provided and maintained, except a minimum front yard depth of 4.26 m (14'-0") shall be provided and maintained for the Chapel;
 - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1324, and that the subject lands on Zoning District Map E-22 be notated S-1324;
 - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-22 for presentation to City Council;
 - (e) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 122 by the Regional Municipality of Hamilton-Wentworth;
 - (f) That the Gibson Neighbourhood Plan be amended by redesignating the subject lands from "INDUSTRIAL", "MEDIUM DENSITY APARTMENTS", and "COMMERCIAL AND APARTMENTS" to "CIVIC AND INSTITUTIONAL".

- C. That final Site Plan Approval be withheld until notification is received from the Ministry of Environment that the decommissioning process has been satisfactorily completed.
- 3. (a) That the Gourley Neighbourhood Plan be amended to delete the Walkway designation.
- (b) That the Region be requested to amend a condition known as "Clause A Block 108" in the Orchard Park Estates Draft Plan of subdivision to delete the proposed walkway.
- (c) That the closure and disposal of the walkway between 61 and 62 Harbottle Court be referred to the Transport and Environment Committee for implementation.
- 4. That approval be given to Zoning Application 93-38, P.X. Dermody Funeral Homes, lessee, requesting removal of the 'H' (Holding) symbol provision under Section 36 of the Planning Act, to permit a funeral home within the existing building, and that the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, as amended by By-law No. 93-096, and Zoning District Map E-38 for presentation to City Council, for lands located at No. 796 Upper Gage Avenue, as shown on the attached map marked Appendix "C". The 'H' (Holding) provision was placed on the lands until such time as the applicant/owner applied for and received approval of a Site Plan.
- 5. A. That the Minister of Environment and Energy and GO Transit be advised:
 - (a) That GO Transit's October, 1993 report on the proposed Victoria Avenue layover yard should be considered to be inadequate in addressing a number of major concerns, in particular that the transitory (moving) noise source approach used to analyze noise impacts for the proposed layover yard is considered inappropriate, and that the stationary noise criteria should be applied;
 - (b) In addition, the City is undertaking noise studies for the proposed Victoria Avenue layover yard and the Canada/Hunter Street Cut, and that they be requested to consider the findings from these studies in their review of the layover yard;

- (c) That the overall analysis for the proposed Victoria Avenue layover yard is considered inadequate, since it considers only noise impacts, and not the broad range of other concerns, which include effects on property values, air pollution, vibration, loss of Escarpment views, shadows (loss of sunlight), incompatibility with neighbourhood character, and other issues of major concern;
- (d) That the adequacy of the process for public participation in the study is in question, since the residents of the Stinson Community were not notified of the proposed yard during the preparation of the E.A.;
- (e) That the previous resolutions of City Council on this matter, arising from their meeting of 1993 July 27 and other comments made by citizens during the review process, should be addressed prior to a final decision being made on the layover yard.

B. That the Minister of Environment and Energy and GO Transit be provided with a copy of the report as presented to the Planning and Development Committee.

6. (a) That the 1994 operating budget of the International Village B.I.A. attached hereto as Appendix "D" be approved in the amount of fifty-three thousand, two hundred and six dollars (\$53,206.); and,
- (b) That the City Treasurer be hereby authorized and directed to prepared the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1994 budget as referenced in (a) above; and,
- (c) That the following Schedule of Payments for 1994 be approved.

January 01	\$26,603.
October 01	\$26,603.

NOTE: 1993 Levy Arrears will be deducted from the two payments for 1994.

7. (a) That the 1994 operating budget of the Ottawa Street B.I.A. attached hereto as Appendix "E" be approved in the amount of forty-three thousand, eight hundred dollars (\$43,800.); and,
- (b) That the City Treasurer be hereby authorized and directed to prepared the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1994 budget as referenced in (a) above; and,
- (c) That the following Schedule of Payments for 1994 be approved.

January 01	\$21,900.
June 01	\$10,950.
October 01	\$10,950.

NOTE: 1993 Levy Arrears will be deducted from the three payments for 1994.

8. That the Building Commissioner be authorized to issue demolition permits for:
- (a) 114 Glennie Avenue
- (b) 819 Upper Paradise Road
9. That a Commercial Loan in the amount of thirteen thousand and ten dollars (\$13,010.) be approved for 1018067 Ontario Limited. The interest rate will be 2 3/4 percent amortized over ten years.
10. That a Commercial Loan in the amount of thirty four thousand, four hundred and twenty-one dollars (\$34,421.) be approved for 919696 Ontario Limited. The interest rate will be 2 3/4 percent amortized over ten years.
11. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of six hundred and forty-six (\$646.) be approved for Salvatore Romano, 27 Glen Valley Drive. The interest rate will be 8 percent amortized over 5 years.
12. That a loan increase of \$2,286. be approved for Mr. D. Kwiatkowski, 201 Ottawa Street North under the Commercial Loan Program. The total loan is now \$11,741.

13. That leave be granted to introduce the following Bills:

- (a) C-90 By-law to Amend By-law No. 76-19 as amended by By-law No. 86-211 respecting the International Village Business Improvement Area generally covering both sides of King Street East between Wellington Street and Mary Street
- (b) C-91 By-law to Amend Zoning By-law No. 6593 respecting Public Parking Lots
- (c) C-92 By-law to Adopt Official Plan Amendment No. 122 respecting Lands Located North of King Street East and East of Wentworth Street North Municipally known as No. 30 Wentworth Street North within the Gibson Neighbourhood
- (d) C-93 By-law to Amend Zoning By-law No. 6593 respecting Land Located at Municipal No. 30 Wentworth Street North
- (e) C-94 By-law to Amend Zoning By-law No. 6593 respecting Lands Located at Municipal No. 625 Rymal Road West
- (f) C-95 By-law to Amend By-law No. 93-167 regarding Building Permit Fees.

RESPECTFULLY SUBMITTED,

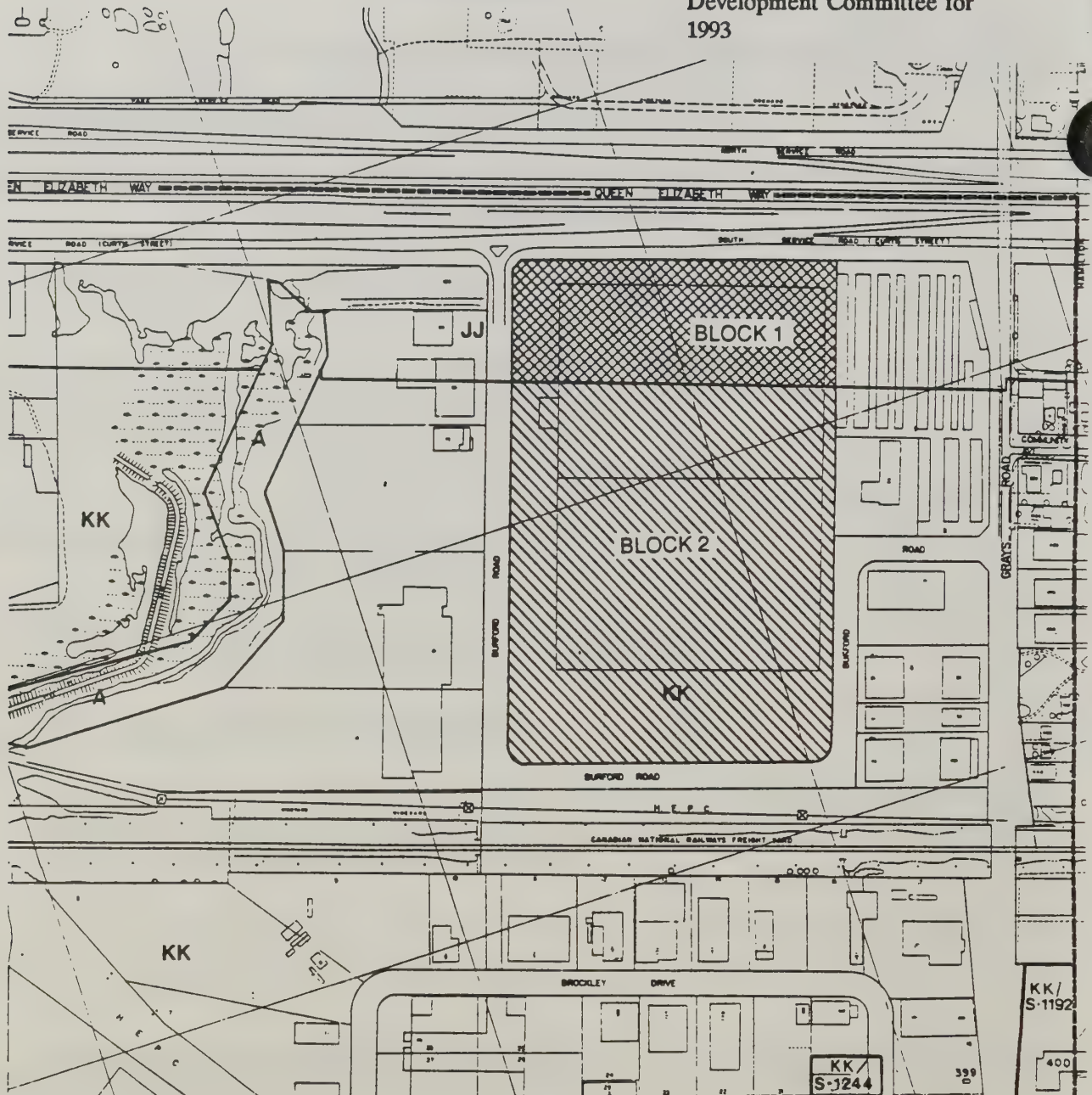
**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

Tina Agnello
Secretary

1993 December 8

1993 December 14

Appendix "A" as referred to
in Section 1 of the NINETEENTH
Report of the Planning and
Development Committee for
1993



LEGEND

Proposed Modification to the:

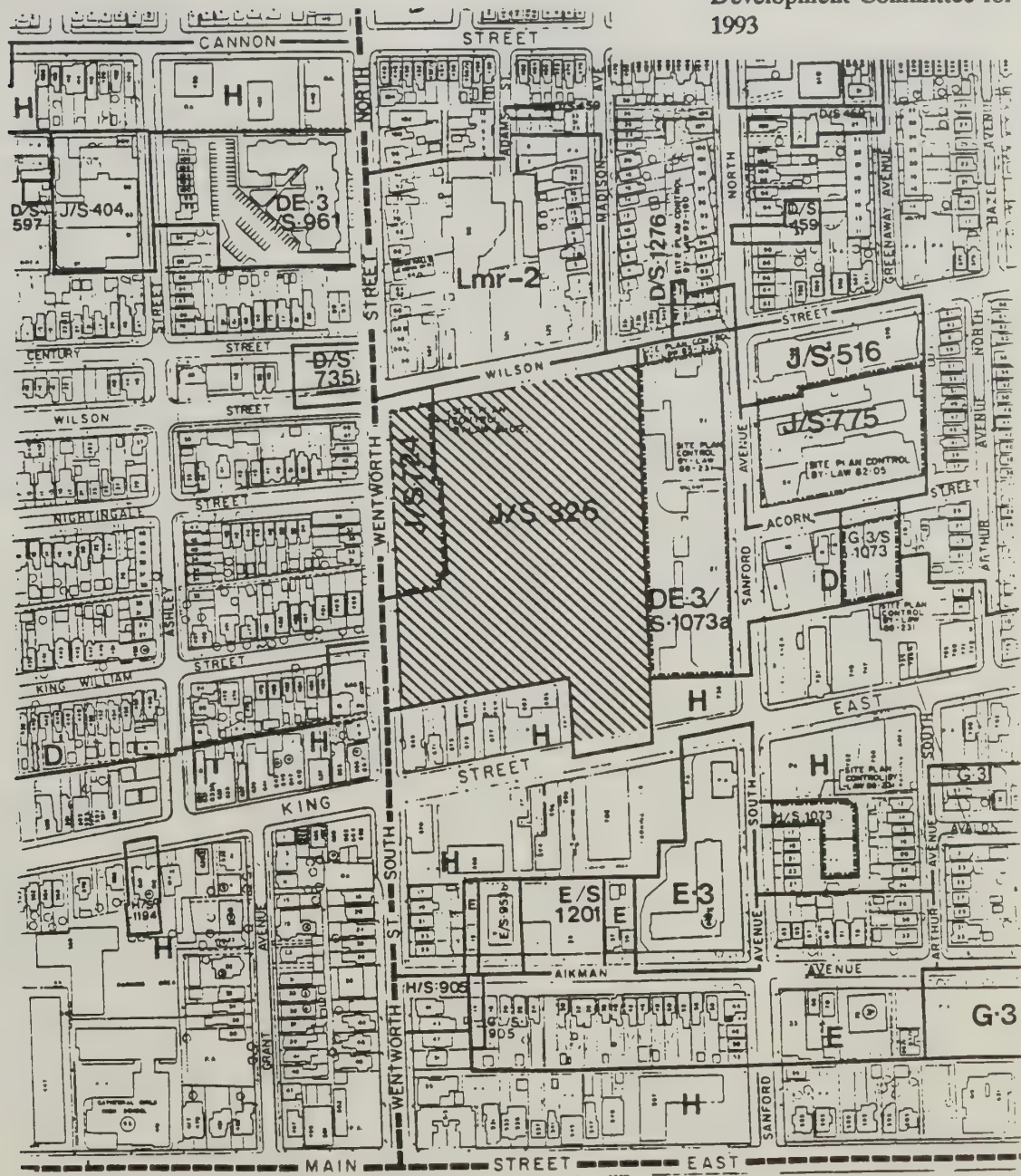
Block 1  "JJ" (Restricted Light Industrial) District regulations

Block 2  "KK" (Restricted Heavy Industrial) District regulations


ZAR-93-31

1993 December 14

Appendix "B" as referred to
in Section 2 of the NINETEENTH
Report of the Planning and
Development Committee for
1993



Legend



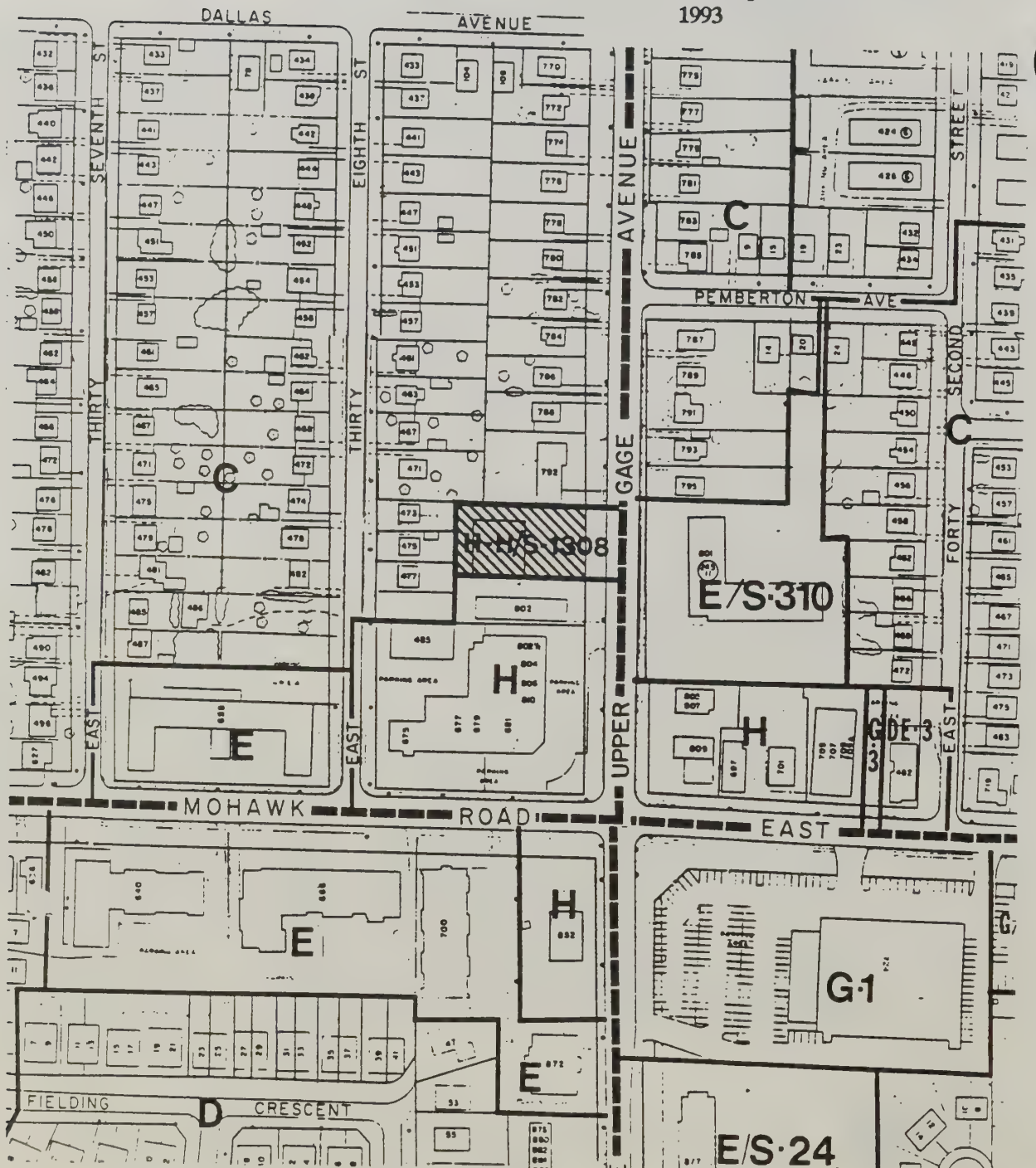
Site of the Application



ZAC-93-28

1993 December 14

Appendix "C" as referred to in
Section 4 of the NINETEENTH
Report of the Planning and
Development Committee for
1993



Legend



Site of the Application



1993 December 14

Appendix "D" as referred to
in Section 6 of the NINETEENTH
Report of the Planning and
Development Committee for
1993

INTERNATIONAL Village

King Street East
between Wellington
and Mary

PROPOSED BUDGET January 1, 1994 to December 31, 1994

	Gross Cost	*Recoverable from Federal Grant	Net Cost
OPERATIONS			
Rent	\$ 4,200	\$ 1,350	\$ 2,850
Telephone & Hydro	1,450	900	550
Equipment & Supplies	1,928	1,200	728
Bank Charges	300	150	150
TOTAL OPERATING	\$ 7,878	\$ 3,600	\$ 4,278
WAGES			
Executive Director	\$ 20,200	\$ 7,000	\$ 13,200
Wage Costs	2,048	770	1,278
	\$ 22,248	\$ 7,770	\$ 14,478
Less Training Revenue		2,500	(2,500)
TOTAL WAGES	\$ 22,248	\$ 10,270	\$ 11,978
Insurance	\$ 665		\$ 665
Audit Fees	285		285
Advertising & Promotion	25,000		25,000
Lighting Grant	(1,000)		(1,000)
	\$ 24,950		\$ 24,950
Allowance for Uncollected Levies	12,000		12,000
TOTAL COST	\$ 67,076	\$ 13,870	\$ 53,206

* APPLIED FOR 6 MONTHS (25 WEEKS)
July - December 1994
2 Clients in Management Office
1 Client with Membership

1993 December 14

Appendix "E" as referred to
in Section 7 of the NINETEENTH
Report of the Planning and
Development Committee for
1993

OTTAWA STREET B.I.A. PROPOSED 1994 BUDGET

Budget Item	Total \$	%
Rent		
12 months including Hydro	1,300	3%
Utilities		
Telephone - 1 line @ 45.00, 12 months including long distance	750	1.7%
Insurance		
Total coverage includes: Liability, vandalism fire, computers, office equipment and special events and directors liability	1,600	3.6%
Office Supplies		
Paper, pens, letterhead, capital newsletters, postage and sundries	1,000	2.3%
Office Equipment		
Photocopier		
Lease	\$2,800.00	
Service Contracts	\$1,100.00	
	3,900	8.9%
Wages		
Co-ordinator's Contract	5,100	11.6%
Promotional Organizer Contract	2,100	4.8%
Advertising	10,000	22.8%
Beautification		
Street Cleaner's Contract (4 days x 6 hours x \$7.50 x 30 weeks)	6,000	13.7%
Street Cleaner supplies - bags, brooms, etc.	750	1.7%
Garbage Removal	800	1.8%
Lighting Secondary		
Lights in trees	4,000	9.1%
Other Costs include:		
Bank Charges	250	
Workers Compensation	100	
Yearly audit of books	650	
	1,000	2.3%
Contingency Fund		
12 percent	4,700	12%
Total	43,800	100.00

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTY-THIRD** Report for 1993 and respectfully recommends:

1. That the City Treasurer be directed to close the following Parking Authority Capital Project Accounts with any excess funding to be transferred to its original source of financing:

Centre Number	Project Description	Authorized Gross Cost	Total Expenditure	Excess Financing
908545001	Construction Arena Parking Facilities	\$ 590,000.	\$ 589,734.	\$ 265.55
908745001	825 Space Parking Structure	7,200,000.	7,199,742.	257.63
908845002	Research and Development Studies	100,000.	98,436.	1,563.98
909145001	Land Acquisition - General	400,000.	400,000.	0
909145003	Upgrade Existing Parking Facilities	100,000.	99,882.	117.69

2. That a purchase order be issued to RCM Contracting, Hamilton, to supply various types of maintenance services as and when required by the Real Estate Division of the Property Department during 1993 and 1994, being the lowest of seven tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through Property Standards Account No. CH15411 00001, as follows:

Hourly Rate One Person	\$30.
Hourly Rate Two People	37.
Hourly Rate Three People	44.

3. That a purchase order be issued to Wajax Industries Limited, Mississauga, in the amount of \$84,827.45 for the supply and delivery of one (1) 14,500 lb. cab and chassis with 29 foot telescopic aerial lift, being the lowest acceptable of five bids received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be funded through Reserve for Mobile Equipment Account No. CH5X503 00101.
4. (a) That the City be authorized to temporarily borrow monies to meet current budget expenditures for 1994 pending receipt of current revenues; and,
(b) That the appropriate borrowing by-law be approved.
5. (a) That the City of Hamilton host the 3rd Annual Volunteer Centre Indoor Golf Tournament to be held on Friday, 1994 February 25; and,
(b) That the Culture and Recreation Department, Special Events Officer co-ordinate the event with the support of the City Management Team; and,
(c) That the City of Hamilton enter a Corporate Team to participate in the event at a cost of \$150.; and,
(d) That this \$150. be charged to Unclassified Account, Centre #24201 in 1994; and,
(e) That approval be given to the Culture and Recreation Department to use the second floor lobby and Council Chamber for the registration of participants and the distribution of prizes on Friday, 1994 February 25, from 12:00 noon to 5:00 p.m.; and,

- (f) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
- 6.
- (a) That the Chief Administrative Officer prepare Terms of Reference for a Comprehensive Audit of the Department of Culture and Recreation; and,
 - (b)
 - (i) That a Steering Committee be formed to approve the Terms of Reference, recommend the Consultant to carry out the Audit, provide guidance and direction where needed; and,
 - (ii) That the Steering Committee be comprised of the Chairpersons and Vice Chairpersons of the Finance and Administration Committee and Parks and Recreation Committee with the assistance of the Chief Administrative Officer, City Treasurer and City Solicitor as resource staff; and,
 - (c) That the City Treasurer through the Manager of Purchasing issue the Request for Proposals based on the approved Terms of Reference, and that the estimated cost of \$60,000. be financed by an approved overdraft within the Comprehensive Audit Cost Centre and absorbed by the 1993 General Surplus.
- 7.
- (a) That the City of Hamilton pay the \$79,991.22 costs incurred to date in responding to the emergency at the USARCO properties on 1993 September 23; and,
 - (b) That the Chief Administrative Officer, the City Solicitor and the City Treasurer take the necessary steps to recover these funds; and,
 - (c) That the \$79,991.22 be charged to Account No. CH 24106-00001, Suspense Account.
AMENDED AND CARRIED.
- 8.
- (a) That the recommendations of the Ad Hoc Committee on Tobacco Control Policy, as adopted by Regional Council on 1993 January 19, and set out in the Schedule attached herewith and marked Appendix "A", be endorsed; and,

- (b) That the Regional Health and Social Services Committee be requested to authorize the Medical Officer of Health to prepare a report for review and consideration by the Finance and Administration Committee, which would provide for the required actions to be taken to provide a "smoke free community by the year 2000".
 - (c) For the information of the members of City Council, the Finance and Administration Committee have invited the Hamilton-Wentworth Council on Smoking and Health to make a presentation to its 1994 January meeting on the status of Tobacco Control Issues.
9. (a) That the Director of Property be authorized to proceed with the replacement of the carpeting material on the second floor/lobby staircase at a cost of \$12,073.04, which includes approximately \$4,000. of in-house staff charges; and,
- (b) That a purchase order be issued to Vartanian Rugs Ltd., Burlington, for the supply and installation of the carpeting material at a cost of \$8,073.04; and,
- (c) That the cost of undertaking this project be allocated to Account No. CF 318741101 - Budget Items Financed from Reserves.
- REFERRED TO THE DIRECTOR OF PROPERTY
WITH DIRECTION TO RETENDER
10. (a) That the Regional Municipality of Hamilton-Wentworth be requested to convey Lot 2 on Dartnall Road, Hamilton Industrial Park No. 2, Plan 62M-658, to the Corporation of the City of Hamilton for the nominal sum of \$1. with the proviso that the Region's Industrial Reserve Account will be credited the amount of \$108,192. (revenue property would generate if sold at current market value) which in effect reduces the City's share of net proceeds to ultimately be derived from the sale of all lands in the said subdivision, and on the condition that the zoning is in place on the subject property to permit the use intended; and,
- (b) That the said Lot 2 be leased to The Hamilton Firefighters' Drum Corps for a term of 25 years on a net basis on terms and conditions to be documented satisfactory to the City Solicitor; and,

- (c) That the Hamilton Firefighters' Drum Corp Inc. be encouraged to explore the possibility of sharing its facilities with other community groups; and,
 - (d) That before the above-noted lease is finalized the Hamilton Firefighters' Drum Corp. Inc. report back to the Finance and Administration Committee on the possibility of sharing its facilities with other community groups.
- 11. That the decision of H.E.C.F.I. to opt out of the City's Early Retirement Plan be approved.
- 12. That a request from H.E.C.F.I., that installation of a Sprinkler System at Hamilton Place be included for consideration as a project in the City's 1994 Capital Budget process, be approved.
- 13.
 - (a) That the Assessment Review Board continue to hear City of Hamilton tax appeals lodged under Section 442 (1) of the Municipal Act for 1994 at a cost of \$75,000. per annum.; and,
 - (b) That the Finance and Administration Committee recommend the method of funding this cost; and,
 - (c) That the Treasurer monitor the decisions made by the Assessment Review Board for a one year period; and,
 - (d) That the Treasurer report back to the Finance and Administration Committee in 1994 November on the amount of tax relief granted on the appeals heard by the Assessment Review Board.
- 14. That realty and business tax applications processed under Section 443 of the Municipal Act, Chapter 45 Statutes of Ontario, 1990 in the amount of \$40,444.60 be approved and charged to CH53307-24104 Tax Remissions.
- 15. That as referred in Section 7 of the Seventeenth Report for 1993 of the Parks and Recreation Committee and approved by City Council on 1993 October 26, the City's contribution in the amount of \$10,000. to participate in the events of the 1994 Canadian Junior Golf Championships to be held at Chedoke Civic Golf Course 1994 August 9 - 12, be financed from the Reserve for Hosting of Conferences with Municipal Subject Content Centre # CH 00126.

16. That the revenue and expenditure balances of the Club accounts within the Culture and Recreation Department's operating accounts, which have program cycles that may not coincide with the end of a calendar year, be carried over by the Treasurer at the end of 1993 and subsequent years as necessary.
17.
 - (a) That the City Solicitor, Building Commissioner and Fire Chief prepare a request for private legislation from the Province to require that all hotels/motels; new homes; rented properties; multi-use dwellings; and health care facilities install sprinkler systems; and,
 - (b) That the Home Builders Associations, Lodging Home Associations, Hotel Associations and all other relevant agencies be consulted for input to assist in the preparation of the above-noted report.
18.
 - (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 39847/92 by the payment to the Plaintiff, Pearl Madden, of the sum of \$1,725. inclusive of all damages, interest and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) No. 39847/92 be dismissed without costs.
19.
 - (a) That the City of Hamilton agree to resolve the Plaintiffs' claims in Ontario Court (General Division) Action No. 30253/91 on the following terms:
 - (i) That all parties to the Action agree that the Plaintiffs damages are to be assessed at \$10,000. inclusive of all damages, interest, costs and disbursements; and,
 - (ii) That the City and the Co-defendant Geraldo's Catering Inc. each pay to the Plaintiffs Jo Nichol and Tom Nichol, the sum of \$5,000.; and,
 - (iii) That the Plaintiffs be required to execute a Full and Final Release of the City of Hamilton in a form satisfactory to the City Solicitor; and,

- (iv) That as between the City and the Co-defendant Geraldo's Catering Inc, the payments to the Plaintiffs (referred to in (ii) above) shall be without prejudice to their respective rights to dispute liability as between themselves; and,
 - (v) That the Plaintiffs consent to an order dismissing the Action, as against the City of Hamilton, without costs at the appropriate time.
20. That outstanding business taxes in the amount of \$399,627.69, as presented in Private and Confidential Schedules to the Finance and Administration Committee, be written-off in accordance with Section 441 of the Municipal Act, R.S.O. 1990 and charged to Account CH53401 24106, Tax Write-offs.
21. That leave be granted to introduce the following Bills:
- (a) Bill H-66 A By-law to Authorize the Temporary Borrowing of Monies to meet Current Expenditures pending receipt of Current Revenues.
 - (b) Bill H-67 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1993 December 9**

1993 December 14

Appendix "A" referred
to in Section 8 of the
TWENTY-THIRD Report of the
Finance and Administration
Committee for **1993**.

DATE: 1992 December 17

REPORT TO: Chair and Members,
Health and Social Services Committee

FROM: Dr. Barbara Gowitzke, Chair
Ad Hoc Committee on Tobacco Control Policy

SUBJECT: Report and Recommendations from the Ad Hoc Committee on
Tobacco Control Policy

RECOMMENDATIONS:

(a) That the Regional Municipality of Hamilton-Wentworth, through its Regional Department of Public Health Services, educate the general public about the hazards of tobacco use, including the very real hazards of environmental tobacco smoke (ETS) and the powerful addictive nature of nicotine.

(b) That the Regional Municipality of Hamilton-Wentworth encourage all municipalities within the Region to enact legislation to eliminate sponsorships and other advertising schemes of tobacco companies.

(c) That the Regional Municipality of Hamilton-Wentworth encourage each municipality within the Region, (i.e., the three municipalities which do not have a program already in place,) to adopt an incentive smoking cessation program for its employees.

(d) That the Regional Municipality of Hamilton-Wentworth request the Regional Police Services Board to update the knowledge of its police services regarding all federal, provincial, and municipal laws related to purchase and possession of tobacco, so that laws controlling purchase and possession of tobacco by minors may be enforced, and that prosecution under these statutes be strongly encouraged.

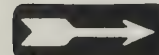
(e) That the Regional Municipality of Hamilton-Wentworth, encourage the Regional Police Services Board to assist with enforcing federal and provincial acts by providing referrals to the R.C.M.P. and O.P.P.

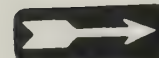
(f) That the Regional Municipality of Hamilton-Wentworth encourage its police services to assist By-Law Enforcement Officers in each municipality with enforcing municipal by-laws concerned with smoking in the workplace and in public places. That, if necessary, staff time in each municipality be re-allocated to focus on By-Law enforcement.

(g) That the Regional Municipality of Hamilton-Wentworth, through its Regional Department of Public Health Services, assist with enforcing municipal smoking and tobacco by-laws by providing referrals to By-Law Enforcement Officers in each municipality.

 (h) That the Regional Municipality of Hamilton-Wentworth encourage all municipalities within the Region to enact new, or strengthen existing, legislation to prevent the sale of tobacco to minors.

 (i) That the Regional Municipality of Hamilton-Wentworth encourage all municipalities within the Region to license tobacco vendors.

 (j) That the Regional Municipality of Hamilton-Wentworth encourage all municipalities within the Region to enact new, or strengthen existing, legislation to reduce the hazards of environmental smoke in public places.

 (k) That the Regional Municipality of Hamilton-Wentworth encourage all municipalities within the Region to enact new or strengthen existing legislation to eliminate the hazards of environmental smoke in the workplace. That, where necessary, enabling legislation be requested from the Province of Ontario.

(l) That, in support of the Mandatory Programs and Services Guidelines of the Department of Public Health Services, and in keeping with the Implementation Team Report of the Regional Chairman's Task Force on Sustainable Development, the Regional Municipality of Hamilton-Wentworth adopt a resolution of a smoke-free community by the year 2000.

(m) That the Regional Municipality of Hamilton-Wentworth appoint a member of the Health and Social Services Committee to represent the Region on the Hamilton-Wentworth Council on Smoking and Health.

(n) That the Regional Municipality of Hamilton-Wentworth direct the Tobacco Use Prevention Committee of the Department of Public Health Services to assume the responsibility of monitoring the progress of the tobacco control policy in the Region of Hamilton-Wentworth and make an annual report to the Health and Social Services Committee.

1993 December 14

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its SIXTH Report for 1993 and respectfully recommends:

1. That Alderman F. Eisenberger be appointed Chairman of the Committee of the Whole for the months of January, February and March, 1994.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW
CHAIRMAN, NOMINATING COMMITTEE**

J.J. Schatz, Secretary
1993 December 14

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **THIRTEENTH** Report for 1993 and respectfully recommends:

1. a) That the estimated cost of \$7.115 million for the City's Early Retirement Incentive Plan (E.R.P.) be financed in the following manner:
 - i) Reserve for Capital Projects - CH 00203 - \$4.034 million - this was the amount which had been previously reserved and not required for the Dofasco assessment appeal which was settled in 1992.
 - ii) Use of OMERS Type 3 surplus - \$1.409 million - through agreement with the Fire Fighters Association Local 288, one-half of the amount remaining on deposit with OMERS due to a surplus resulting from excess contributions to OMERS from "Type 3" supplementary will be used to fund the Fire Fighters early retirement incentive plan, and the other half to be used by the City at it's discretion.
 - iii) Reserve for Annualization - CH 00177 - \$152,000 - a surplus within a reserve earmarked specifically to assist in financing early retirement incentive plans.
 - iv) Reserve for Future Pension Liabilities - CH 00178 - \$742,000 - this reserve was established in 1991 from a return of excess OMERS contributions in Type 3 (Fire) supplementary plan, and is surplus to the City's needs at this time.
 - v) Reserve for Debt Charges - CH 00108 - \$778,000 (estimated) - to fund the balance of financing required for the incentive plan and financial consultants.

1993 December 14

- b) That a new reserve named "Reserve for Early Retirement Incentive Plan" be created specifically for the purpose of centralizing the financing of the costs of the early retirement incentive plan from the transfers of funds from other reserves, and other funding as noted in a) above.
 - c) That the estimated cost of \$25,000 for early retirement financial planning seminars and consultations be charged to the Reserve for Early Retirement Incentive Plan.
 - d) That any financial implications to the H.M.R.F. pension plan as a result of implementing the E.R.P.'s will be considered and reported to the appropriate committees in due course.
2. That the 1993 financing and budget adjustments as attached as Appendix "A", be confirmed.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW,
CHAIRMAN, COMMITTEE OF THE WHOLE**

J. J. Schatz
Secretary
1993 December 14

att.

1993 Funding Sources To Offset E.C.P., Provincial Budget, And City Shortfall For Snow And Ice

	A.F.F. Report Adjustment		Financing Only	
	1993 Expenditure Appropriation	1993 Revenue Appropriation	Revenue Non-Base	Expenditure Non-Base
Original 1993 Approved Budget				
<u>Funding Sources For E.C.P. and Provincial Budget</u>				
E.C.P. - Reduced Provincial Grant Funding				
Provincial Budget - Sales Tax Effects				
Interest - Investments				
Clerks - Current Year Lotteries - Bingo				
Clerks - Current Year General				
Recreation - Program / Event Reductions				
Recreation - Special Events Budget				
Recreation - Daily Operations				
Culture - Museum Operations and Public Programs				
Property - Ice "Slab" Temperature				
Property - Eliminate Use of Hot Water - Zamboni				
Property - Modify Security Services				
General Contingency				
Provision For Snow Control and Storm Damage				
Revised 1993 Budget after adjusting for E.C.P. and Provincial Budget				
<u>Funding Sources For 1993 City Shortfall</u>				
Revised estimated overdraft for Snow and Ice damage				
Annualized Operating Costs - Twin Pad:				
Twin Pad Revenue				
Twin Pad Food Revenue				
Twin Pad Recreation Expense				
Twin Pad Property Expense				
Twin Pad Recreation Expense - Food Service				
Annualized Operating Costs - Various Capital Programs				
Unallocated Grants				
Reserve For Snow Control and Storm Damage				
Reserve For Debt Charges				
Reserve For Capital Projects				
Total Financing Available				

1993 December 21

Minutes of the Special Meeting of Hamilton City Council
Tuesday, 1993 December 21
7:00 o'clock p.m.
Room 233, City Hall

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross,
D'Amico.

Absent: Alderman M. Kiss - vacation

Mayor R. M. Morrow called the meeting to order.

* * * * *

The purpose of this special meeting of City Council was to consider a Report from the Parks and Recreation Committee.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Morelli that the Report of the Parks and Recreation Committee, be now considered in Committee of the Whole with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps,
Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross. -14.

NAYS: -0.

CARRIED.

PARKS AND RECREATION COMMITTEE - TWENTY-FIRST REPORT

It was moved by Alderman Agostino and seconded by Alderman Copps that Section 1 (b) (i) be amended by adding the words "and pensioners" after the word "Juniors" and further by adding the following as section 1 (b) (iii):

1. (b) (iii) That the pensioners rates for Kings Forest and Chedoke Golf Courses be increased by 5% over the 1993 rate for 1994.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Copps, Agostino. -3.

NAYS: Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -12. **LOST.**

* * * * *

Recorded vote on Section 1 (b) (i) Re: Fee Increases - Golf Courses

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -12.

NAYS: Aldermen Copps, Agostino. -2 **CARRIED.**

* * * * *

Recorded vote on Section 2 (e) Re: Request for Proposals - Twin Pad Arena (West Mountain Arenas)

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Drury, Morelli. -2. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Morelli that the Report of the Committee of the Whole on the Report of the Parks and Recreation Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.
-15.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Morelli that Bill B-1 be now read a first time:

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.
-15.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Morelli that Council move into Committee of the Whole to consider Bill B-1, with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.
-15.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

It was moved by Alderman Cooke and seconded by Alderman Morelli that the Report of the Committee of the Whole on Bill B-1, be adopted. -

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. - 15.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Morelli that Bill B-1, be now read a third time, signed, sealed and enrolled as a By-law.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. - 15.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 7:35 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz, City Clerk
1993 December 21

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **TWENTY-FIRST** Report for 1993 and respectfully recommends:

1. (a) That King's Forest Golf Course and the Beddoe-Martin Courses at Chedoke Golf Course continue to operate on a seasonal pass/green fee basis for 1994; and
- (b) That the following revisions in the fee structure at Chedoke and King's Forest Golf Courses be approved:
 - i. Seasonal pass fees be increased in all categories except Juniors by \$50. for 1994.
 - ii. Green fees be increased by \$1. in all categories; and
- (c) That staff be directed to report back on the method and details by which maintenance costs at Chedoke and King's Forest Golf Courses will be reduced by 15%; and
- (d) That staff be directed to report back on the details of which Department will assume the operations/management of the golf courses within its jurisdiction; and
- (e) That staff be directed to proceed with the tendering process for concessions at both King's Forest Golf Course and Chedoke Golf Course subject to the final tender document being forwarded to the members of the Parks and Recreation Committee for information prior to the actual tender call.

Recorded vote on Section 1. (b) (i)

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -12.

NAYS: Aldermen Copps, Agostino. -2

CARRIED.

2.
 - (a) That the Director of Culture and Recreation and the Manager of Purchasing, with the support of the City Solicitor, be authorized to invite Proposals for the operation of the West Mountain Arenas and Community Centre for a maximum 3 year period.
 - (b) That the request for Proposals include detailed level of service requirements to include, but not be limited to:
 - the ice maintenance
 - building maintenance
 - administrative support
 - food and beverage concessions
 - sport shop
 - grounds care
 - parking lot operation
 - (c) That the operational proposal provide a cost benefit analysis and budget description which supports the level of service implications over a three year period.
 - (d) That staff continue to work with Local 5 and Local 1041 to put forth a proposal to operate the Arena.
 - (e) That staff be authorized to retain a consultant to assist in the development and evaluation of the Request for Proposals to operate the new facility (West Mountain Twin Pad and Community Centre) at an upset limit of \$25,000. to be charged to the West Mountain Twin Pad Arena - Account No. 709041012.

Recorded vote on Section 2 (e)

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Drury, Morelli. -2.

CARRIED.

3. That the bid proposal submitted by the Regional Economic Development Department to Slo-Pitch Ontario for the 1994 Provincial Championships be modified to include a 50% reduction in both the standard facility rental fees and associated labour charges.

1993 December 21

4. That leave be granted to introduce the following Bill:

Bill B-1

By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1993 December 21

HAMILTON PUBLIC LIBRARY



3 2022 21334585 9